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San Francisco
Police Commission
Minutes

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16 JANUARY 1974 REGULAR MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, 16 January 1974, at 1600 hours.

PRESENT: Commissioners Miller, Cardoza, Garner

Commissioner Garner presiding.

The members of the Commission, having been furnished with copies of the minutes of the meeting of January 9, 1974, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Miller, Cardoza, Garner

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets be, and the same are hereby approved.

1727 LAGUNA STREET - WONG'S BAIT & TACKLE SHOP

a) At 1727 Laguna Street, install a 25' green zone, to extend north of the south property line.

2130 POST STREET - POST STREET CONVALESCENT HOSPITAL

a) At 2130 Post Street, install a 45' white zone, to extend from 45' - 90' east of west building line.

b) At 2130 Post Street, install a 25' white zone, to extend from 42' - 67' west of the east building line.

c) Permission to display portable No Parking signs in conjunction with these white zones.

1182 FOLSOM STREET - SAN FRANCISCO ADVERTISER

a) At 1182 Folsom Street, install a 36' green zone, to extend west of the east building line.

301 SOUTH HILL BOULEVARD - DEPARTMENT OF PUBLIC WORKS

a) At 301 South Hill Boulevard, install a 70' red zone, to extend south of Canyon Drive.

2465 GEARY STREET - PACIFIC GAS & ELECTRIC COMPANY

a) At approximately 2465 Geary Street, install a 20' red zone, to extend from 85' - 105' east of Lyon Street.

872 NORTH POINT STREET - AMERICAN OAK ANTIQUES

a) At 872 North Point Street, revoke existing 27' yellow zone.

b) At 872 North Point Street, install a 47' yellow zone, to extend from 85' - 132' east of Larkin Street.

AYES: Commissioners Miller, Cardoza, Garner

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 138 feet of yellow and white zones at various parts of the City at the locations submitted be, and the same are hereby approved.

AYES: Commissioners Miller, Cardoza, Garner

PERMISSION TO TAKE LEAVES OF ABSENCE - APPROVED

The requests of the following named members of the Department for permission to take Leaves of Absence were approved:

MILITARY LEAVES - WITH PAY:

a) Sergeant Lawrence C. MacKenzie, Traffic Bureau, for two days, 12 and 13 January 1974.

b) Assistant Inspector Willie E. Johnson, Bureau of Inspectors, for five days, 4 February 1974 to 8 February 1974, inclusive.

c) Police Officer Daniel P. Boyd, Mission Police Station, for two days, 12 and 13 January 1974.

d) Police Officer Joseph Arone, Richmond Police Station, for twelve days, 21 January 1974 to 1 February 1974, inclusive.

e) Police Officer Anthony J. Camilleri, Jr., Park Police Station, for two days, 12 January 1974 and 13 January 1974.

f) Police Officer Robert L. Derby, Mission Police Station, for two days, 12 and 13 January 1974.

g) Police Officer Michael M. Folena, Central Police Station, for two days, 26 and 27 January 1974.

h) Police Officer Joseph M. Hession, Southern Police Station, for six days, 19 and 20 January 1974, 23 and 24 February 1974, 16 and 17 March 1974.

i) Police Officer Robert H. Hoch, Ingleside Police Station, for two days, 12 and 13 January 1974.

j) Police Officer Charles J. Keohane, Mission Police Station, for two days, 5 and 6 January 1974.

k) Police Officer Raymond D. Kilroy, Mission Police Station, for two days, 5 and 6 January 1974.

l) Police Officer Jeremiah W. Morgan, Mission Police Station, for one day, 5 January 1974.

m) Police Officer Richard G. Sheehan, Central Police Station, for two days, 3 and 4 January 1974.

n) Police Officer James L. Stokes, Mission Police Station, for two days, 12 and 13 January 1974.

o) Inspector Daniel J. Murphy, Bureau of Inspectors, for twelve days, 21 January 1974 to 1 February 1974, inclusive.

p) Police Officer Michael D. Chan, Northern Police Station, for two days, 26 and 27 January 1974.

AYES: Commissioners Miller, Cardoza, Garner

RETIREMENT

Communication was received from the Retirement Board officially notifying the Police Commission of the retirement of Police Officer Alfred J. Hingsbergen, Bureau of Criminal Information (Communications), for service, effective December 31, 1973.

The communication was ordered filed.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 23-74

DENNIS B. K. FONG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dennis B. K. Fong against the City and County of San Francisco in the sum of $12.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 5, 1973.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 24-74

LARRY MARQUEZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Larry Marquez against the City and County of San Francisco in the sum of $138.35 as the result of a collision with a Police vehicle, be, and the same is hereby approved.

Date of Accident: October 22, 1973.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 25-74

BOLESLAW MARTOWICZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Boleslaw Martowicz against the City

and County of San Francisco in the sum of $26.32 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 15, 1973.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 26-74

FLORENCE P. GOLDBERG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Florence P. Goldberg against the City and County of San Francisco in the sum of $18.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 3, 1973.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 27-74

SAMUEL L. PARHAM AND HIS ATTORNEYS

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Samuel L. Parham in the sum of $1,000 in Superior Court Action No. 626-124, entitled Samuel L. Parham vs. City and County of San Francisco," as the result of personal injuries sustained when struck by a police vehicle, be, and the same is hereby approved.

Date of Accident: April 11, 1970

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 28-74

MICHAEL L. VORKAPICH

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Michael L. Vorkapich in the sum of $4,700.00 in Superior Court Action No. 657046 entitled "Michael L. Vorkapich, etc., vs. San Francisco Police Department," as the

result of personal injuries sustained when struck by a minimotorcycle operated by a police officer, be, and the same is hereby approved.

Date of Accident: October 19, 1972

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 29-74

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF CHARGES - APPROVED

WHEREAS, Police Officer Robert J. Macey, Northern Police Station, was suspended without pay effective 9 December 1974, at 0001 hours, pending hearing of the charges before the Police Commission; and

WHEREAS, Police Officer Robert J. Macey, has requested a Leave of Absence Without Pay pending hearing of charges before the Police Commission; therefore be it

RESOLVED, that Police Officer Robert J. Macey, Northern Police Station, be placed on Leave of Absnece Without Pay, at his request for a period of three months commencing 9 January 1974, until his hearing is held before the Police Commission.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 30-74

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation Ordinance from the following appropriation numbers in the amounts shown:

Appropriation No. 3.161.110.001	Permanent Salaries-Civilian	$ 381.00
Appropriation No. 3.161.863.000	Mandatory Fringe Benefits	71.00

and credit the following appropriations in the amounts indicated:

Appropriation No. 3.161.110.001	Permanent Salaries-Civilian	$ 381.00
Appropriation No. 3.161.863.000	Mandatory Fringe Benefits	
	Transfer to 3.123.862.000	22.00
	Transfer to 3.697.860.000	49.00

for reclassification of one (1) 1446 Senior Clerk-Stenographer as

one (1) 1450 Principal Clerk-Stenographer per Civil Service Commission action of 7 January 1974.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 31-74

REQUEST TO RELEASE UNALLOTTED FUNDS

RESOLVED, that the Controller be, and he is hereby requested to release unallotted funds in the amount of $13,078 from Appropriation No. 3.161.300.001.000 (Materials and Supplies-Traffic Citations) to provide funds for Purchase Order No. 68704 which is pending with the Controller's Office.

AYES: Commissioners Miller, Cardoza, Garner

TRANSFER OF TAXICAB PERMIT - CONTINUED ONE WEEK

The following request for taxicab permit transfer was continued for one week to 23 January 1974, in Room 551, Hall of Justice.

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
Estate of Edward Ross 1392-25th Avenue San Francisco, Calif.	Albert F. Vella 4082½ Army Street San Francisco, Calif.	1

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 32-74

RECOMMENDATIONS OF THE AWARDS COMMITTEE - APPROVED.

RESOLVED, that the following named members of the Police Department be, and they are hereby granted Awards of Valor - Silver Medal and Bronze Medal under the provisions of Section 5.119 of the Rules and Procedures of the San Francisco Police Department as approved by the Awards Committee on Friday, 11 January 1974:

Assistant Inspector Lawrence Pedroldalasol.....Silver Medal of Valor

Police Officer Gary S. Barisone.....Silver Medal of Valor

Police Officer Gregory A. Beatty.....Silver Medal of Valor

Police Officer James A. Boles.....Silver Medal of Valor

Police Officer Richard M. Patten.....Silver Medal of Valor

Police Officer Michael W. Pedrini.....Silver Medal of Valor

Police Officer Earl Rochlin.....Silver Medal of Valor

Police Officer Robert P. Salaiz.....Silver Medal of Valor

Police Officer Bernad L. Shaw.....Silver Medal of Valor

Police Officer Edward L. St. Andre.....Silver Medal of Valor

Police Officer Dale L. Smith.....Silver Medal of Valor

Police Officer William H. Wohler.....Silver Medal of Valor

Police Officer Richard M. Yoell.....Silver Medal of Valor

Lieutenant William E. Koenig.....Bronze Medal of Valor

Inspector Robert G. Checchi.....Bronze Medal of Valor

Inspector Raymond C. Minkel, Jr.,.....Bronze Medal of Valor

Inspector Gino J. Marionetti.....Bronze Medal of Valor

Inspector Robert F. McLennan.....Bronze Medal of Valor

Inspector Jack A. Wydler.....Bronze Medal of Valor

Assistant Inspector Herman W. Clark, Jr.,.....Bronze Medal of Valor

Assistant Inspector Lloyd W. Cunningham.....Bronze Medal of Valor

Assistant Inspector Thomas A. Magnani.....Bronze Medal of Valor

Assistant Inspector Laurence R. Pasero.....Bronze Medal of Valor

Assistant Inspector Juan Morales.....Bronze Medal of Valor

Assistant Inspector Nelson E. Thomas.....Bronze Medal of Valor

Sergeant Preston J. Nolan.....Bronze Medal of Valor

Police Officer Leslie F. Adams.....Bronze Medal of Valor

Police Officer Gary S. Barisone.....Bronze Medal of Valor

Police Officer Dillon Cole, Jr.,.....Bronze Medal of Valor

Police Officer Michael E. Connors.....Bronze Medal of Valor

Police Officer Bob C. Davis.....Bronze Medal of Valor

Police Officer Robert W. Donsbach.....Bronze Medal of Valor

Police Officer Forrest M. Fulton.....Bronze Medal of Valor

Police Officer John T. Meek.....Bronze Medal of Valor

Police Officer William A. Mills.....Bronze Medal of Valor

Police Officer Gary R. Pisciotto.....Bronze Medal of Valor

Police Officer Timothy F. Smith.....Bronze Medal of Valor

Police Officer Kenneth J. Waite.....Bronze Medal of Valor

Police Officer Richard Weidinger.....Bronze Medal of Valor

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 33-74

REWARDS GRANTED TO MEMBERS OF THE POLICE DEPARTMENT

WHEREAS, the following named members of the Police Department have been commended for courageous service under the Provisions of Section 5.119 of the Rules and Procedures of the San Francisco Police Department at a meeting of the Police Commission held on Friday, 11 January 1974; and

WHEREAS, Chief of Police Donald M. Scott has recommended to the Police Commission that the said members be rewarded under the provisions of Section 8.405(a) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED, that Assistant Inspector Lawrence Pedrodalasol, Police Officers Gary S. Barisone, Gregory A. Beatty, James A. Boles, Richard M. Patten, Michael W. Pedrini, Earl Rochlin, Robert P. Salaiz, Bernard L. Shaw, Edward L. St. Andre, Dale L. Smith, William H. Wohler, and Richard M. Yoell, be, and they are hereby awarded a Silver Medal of Valor and granted a reward of $100.00 each as provided for under said section of the Charter; and be it further

RESOLVED, that Lieutenant William E. Koenig, Inspectors Robert G. Checchi, Raymond C. Minkel, Jr., Gino J. Marionetti, Robert F. McLennan, Jack A. Wydler, Assistant Inspectors Herman W. Clark, Jr., Lloyd W. Cunningham, Thomas A. Magnani, Laurence R. Pasero, Juan Morales, Nelson E. Thomas, Sergeant Preston J. Nolan, Police Officers Leslie F. Adams, Gary S. Barisone, Dillon Cole Jr., Michael E. Connors, Bob C. Davis, Robert W. Donsbach, Forrest M. Fulton, John T. Meek, William A. Mills, Gary R. Pisciotto, Timothy F. Smith, Kenneth J. Waite, and Richard Weidinger be, and they are hereby awarded a Bronze Medal of Valor and granted a reward of $50.00 each as provided for under said Section of the Charter.

AYES: Commissioners Miller, Cardoza, Garner

WEEKLY SICK REPORT

Chief of Police Donald M. Scott, submitted a report of members of the Department off duty due to sickness and disability for the week ending, Saturday, 12 January 1974, at 2400 hours as follows:

Daily average for the week, sick	52
Daily average for the week disabled	40
TOTAL	92

Daily percentage for the week, sick	2.78
Daily percentage for the week. disabled	2.12
TOTAL	4.90

The report was ordered filed.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 35-74

HEARING OF POLICE OFFICER KENNETH J. INGRAM, PARK POLICE STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Kenneth J. Ingram, Park Police Station, as follows:

SPECIFICATION NO. 1

Misconduct (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 2

Neglect of duty (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

by Captain John C. Doherty, Commanding Officer, Park Police Station; therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Police Officer Kenneth J. Ingram, Park Police Station, be, and the same is hereby set for Wednesday, 6 February 1974, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 34-74

AUTHORIZING ATTENDANCE OF INSPECTOR BEN C. LUTTRINGER, BUREAU OF INSPECTORS, AT THE AUTO THEFT INVESTIGATORS INSTITUTE, CALIFORNIA STATE UNIVERSITY, SAN JOSE, CALIFORNIA, FOR FIVE ONE-DAY SESSIONS FROM 21 JANUARY 1974 TO 25 JANUARY 1974, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Inspector Ben C. Luttringer, Bureau of Inspectors, be detailed to attend the Auto Theft Investigators Institute at California State University, San

Jose, California, for five one-day sessions from 21 January 1974 to 25 January 1974, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that Inspector Ben C. Luttringer, Bureau of Inspectors, is authorized to use a Police Department vehicle in traveling each day to San Jose; and be it further

RESOLVED, that expenses incurred by Inspector Ben C. Luttringer, Bureau of Inspectors, in a sum not to exceed $85.00 in attending the Institute, will be defrayed by the Police Department's Officers' Training Fund.

AYES: Commissioners Miller, Cardoza, Garner

CONTINUATION OF THE HEARING OF POLICE OFFICER ROBERT J. MACEY, NORTHERN POLICE STATION.

The matter of the hearing of Police Officer Robert J. Macey, Northern Police Station, was called, it having been continued from the meeting of January 2, 1974, to this time and date.

Police Officer Robert J. Macey appeared in person and was represented by Mr. William T. Beirne, Attorney at Law.

Captain George Eimil, Director of Personnel, acted as Prosecutor.

The following named witnesses were called for the Defense, were sworn and testified:

John Francis Cowan, M.D., 3838 California Street, San Francisco, California.

Police Officer Robert J. Macey, Northern Police Station.

Gilbert Kucera, M.D., 2215 Post Street, San Francisco, California.

The following named witness appeared for the Prosecution, was worn and testified:

Lieutenant Willis A. Casey, Bureau of Personnel.

Captain George Eimil, Director of Personnel, presented oral argument on behalf of the Prosecution.

Mr. William T. Beirne, Attorney at Law, presented oral argument on behalf of the Defense.

The Commission took the matter under submission at 1912 hours and will render a decision at a later date.

AYES: Commissioner Miller, Cardoza, Garner

(Recesses taken in the Hearing
of Police Officer Robert J. Macey
1647 hours to 1700 hours.
1721 hours to 1740 hours.)

(The entire proceedings were taken in
shorthand form by Hearing Reporter
Linda Pransky.)

The Commission then adjourned its meeting.

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23 JANUARY 1974 Minutes REGULAR MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, 23 January 1974, at 1730 hours.

PRESENT: Commissioners Miller, Cardoza, Garner

Commissioner Garner presiding.

The members of the Commission, having been furnished with copies of the minutes of the meeting of January 16, 1974, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Miller, Cardoza, Garner

PERMISSION TO TAKE LEAVES OF ABSENCE - APPROVED

The requests of the following named members of the Department for permission to take Leaves of Absence were approved:

MILITARY LEAVES - WITH PAY:

a) Police Officer Richard A. Campbell, Southern Station, for fourteen days, 20 January 1974 to 2 February 1974, inclusive.

b) Police Officer John J. Comisky, Crime Prevention Company, for two days, 19 and 20 January 1974.

c) Police Officer Robert K. Fife, Crime Prevention Company, for two days, 2 and 3 February 1974.

d) Police Officer William W. Fox, Park Station, for two days, 19 and 20 January 1974.

e) Police Officer Timothy E. Gibson, Southern Station, for one day, 13 January 1974.

f) Police Officer Michael J. Griffin, Richmond Station, for two days, 19 and 20 January 1974.

g) Police Officer Stephen A. Mattoon, Park Station, for two days, 26 and 27 January 1974.

h) Police Officer Jody J. Moroschok, Park Station, for two days, 19 and 20 January 1974.

i) Police Officer Raymond F. Mullane, Taraval Station, for one day, 12 January 1974.

j) Police Officer John E. Newlin, Traffic Bureau, for two days, 12 and 13 January 1974.

k) Police Officer Michael R. O'Toole, Patrol Bureau Headquarters, for three days, 14, 15 and 16 December 1973.

l) Police Officer Craig S. Piro, Crime Prevention Company, for two days, 7 January 1974, and 15 January 1974.

m) Police Officer Anthony Rodriguez, Ingleside Station, for two days, 12 and 13 January 1974.

n) Police Officer Richard G. Sheehan, Bureau of Criminal Information, (Communications)for two days, 19 and 20 January 1974.

AYES: Commissioners Miller, Cardoza, Garner

RETIREMENTS:

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following named members of the Department:

a) Inspector Kenneth J. Samuels, Legal Office, for industrial disability, effective 5 December 1973.

b) Police Officer Gerald F. Norman, Bureau of Criminal Information, for industrial disability, effective 13 December 1973.

The communications were ordered filed.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 36-74

PAULINE SHANNON

RESOLVED, that the recommendation of the City Attorney

for settlement of the claim of Pauline Shannon against the City and County of San Francisco in the sum of $53.50 in full settlement of Small Claims Judgment for damages to her garage door, be, and the same is hereby approved.

Date of Incident: November 15, 1972.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 37-74

AUTHORIZING ATTENDANCE OF CAPTAIN HUGH C. ELBERT AND SERGEANT BILL R. TAYLOR, BUREAU OF INTERNAL AFFAIRS, AT THE SCIENTIFIC INVESTIGATION DIVISION OF THE LOS ANGELES POLICE DEPARTMENT, LOS ANGELES, CALIFORNIA, FROM 22 JANUARY 1974 TO 25 JANUARY 1974, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Captain Hugh C. Elbert and Sergeant Bill R. Taylor, Bureau of Internal Affairs, be detailed to visit the Scientific Investigation Division of the Los Angeles Police Department, Los Angeles, California, from 22 January 1974 to 25 January 1974, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Captain Hugh C. Elbert and Sergeant Bill R. Taylor, Bureau of Internal Affairs, in a sum not to exceed $106.00 each in visiting the Los Angeles Police Department, will be defrayed by the Police Department's Officers' Training Fund.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 38-74

AUTHORIZING ATTENDANCE OF SERGEANTS MICHAEL DOWER, JR., AND JOHN VANNUCCI, BUREAU OF SPECIAL SERVICES, AT THE VICE SCHOOL OF THE LOS ANGELES POLICE DEPARTMENT, LOS ANGELES, CALIFORNIA, FROM 10 FEBRUARY 1974 TO 15 FEBRUARY 1974, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Sergeants Michael Dower, Jr., and John Vannucci, Bureau of Special Services, be detailed to attend the Vice School of the Los Angeles Police Department, Los Angeles, California, from 10 February 1974 to 15 February 1974, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeants Michael Dower, Jr., and John Vannucci, Bureau of Special Services, in a sum not to exceed $326.00 each in attending this meeting will be

defrayed by the Police Department's Officers' Training Fund.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 39-74

REQUEST FOR SUPPLEMENTAL APPROPRIATION.

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation Ordinance from the following appropriation number in the amount shown:

Appropriation No. 3.161.400.000 Equipment $1,500.00

and credit the following appropriation in the amount indicated:

Appropriation No. 3.161.400.000 Equipment $1,500.00

to reappropriate funds budgeted for transcribing-dictating machines for the purchase of chairs and a vacuum cleaner.

AYES; Commissioners Miller, Cardoza, Garner

TRANSFER OF TAXICAB PERMIT - CONTINUED ONE WEEK

The following request for taxicab permit transfer was continued for one week to 30 January 1974, in Room 551, Hall of Justice.

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
Estate of Edward Ross 1392 - 25th Avenue San Francisco, Calif.	Albert F. Vella 4082½ Army Street San Francisco, Calif.	1

AYES: Commissioners Miller, Cardoza, Garner

TRANSFER OF TAXICAB PERMIT - APPROVED

The matter of the transfer of the right to operate a taxicab by the following named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title or interest

that the within-named transferor might have to operate a taxicab to the within-named transferee; said approval contingent upon the transferee filing with the Commission the appropriate bond and/or insurance policy provided by the Police Code:

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
Elias Bowie 1209 Scott Street San Francisco, Calif.	Merritt T. Stone 402 Murray Street San Francisco, Calif.	1

AYES: Commissioners Miller, Cardoza, Garner

WEEKLY SICK REPORT

Chief of Police Donald M. Scott, submitted a report of members of the Department off duty due to sickness and disability for the week ending Saturday, 19 January 1974, at 2400 hours, as follows:

Daily average for the week, sick	56	
Daily average for the week, disabled	41	
TOTAL		97

Daily percentage for the week, sick	2.86	
Daily percentage for the week, disabled	2.17	
TOTAL		5.03

The report was ordered filed.

AYES: Commissioners Miller, Cardoza, Garner

FIRST INTERNATIONAL POLICE OLYMPICS TO BE HELD IN SAN FRANCISCO, AUGUST 28, TO 31, 1974.

Inspector Daniel Nilan, Officer Joseph Mollo, and Mr. Malcolm Glover, San Francisco Examiner, appeared before the Police Commission and presented plans for the First International Police Olympics to be held in San Francisco, August 28 to 31, 1974. They stated that invitations have been sent to law enforcement officers in all fifty (50) States and, for the first time, 22 foreign countries.

Competition between the officers, according to Joseph Mollo, president of the hosting San Francisco Police Officers'

Athletic Club and the California Police Athletic Federation, will be held in archery, arm wrestling, badminton, basketball, bowling, crew, cycling, golf, handball, judo, pistol shooting, and power-lifting.

Officer Mollo then requested the Commission to have the Department's Legal Office draw up a Resolution which would give the San Francisco Police Athletic Federation full responsibility for any liabilities accruing from all athletic activities sanctioned by the San Francisco Police Athletic Federation and denying the use of the Federation name by any other parties without said parties having come before the Police Commission for approval to do so.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 41-74

HEARING OF POLICE OFFICERS CHRISTOPHER J. MILLS, AND DAVID L. REDDY, PARK POLICE STATION.

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officers Christopher J. Mills and David L. Reddy, Park Police Station, as follows:

OFFICER CHRISTOPHER J. MILLS:

SPECIFICATION NO. 1:

Failure to answer questions truthfully (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 2:

Failure to remain at his residence while on sick leave (Violation of Section 5.57 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 3:

Failure to comply with residence requirements (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

OFFICER DAVID L. REDDY:

SPECIFICATION NO. 1:

Battery (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 2:

Failure to truthfully answer questions (Viola-

tion of Section 2.49 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 3:

Failure to notify commanding officer of change of address (Violation of Section 2.21 of the Rules and Procedures of the San Francisco Police Department)

in properly verified complaints by Captain John C.Doherty, Commanding Officer of Golden Gate Park Station, San Francisco Police Department.

Police Officers Christopher J. Mills and David L. Reddy appeared in person and were represented by Mr. William J. Murphy, Attorney at Law.

Captain Mortimer F. McInerney appeared as Prosecutor for the Police Department.

In accordance with Rule 5.149.5 Police Officers Mills and Reddy had submitted a plea of not guilty to all specifications. However, when the Officer's hearing began, Mr. William J. Murphy, Attorney for both officers, changed their please to read as follows:

Officer Christopher J. Mills: Specification No. 1 - Nolo Contendre, Specification No. 2 - Nolo Contendre and Specification No. 3 - not guilty.

Officer David L. Reddy: Specification No. 1- Not guilty, Specification No. 2 - Nolo Contendre and Specification No. 3 - Nolo Contendre.

The following named witnesses appeared for the Prosecution, were sworn and testified:

Mauro Bortoli, 37 Ellington St., San Francisco, Calif.

James Thompson, 26a Woodland Avenue, San Francisco, Calif.

Lieutenant Louis Fontana, Park Police Station.

Wanda Bortoli, 5473 Mission Street, San Francisco, Calif.

Inspector Kevin Conroy, Personnel Bureau

The following named witnesses appeared for the Defense, were sworn and testified:

Police Officer Christopher J. Mills, Park Police Station,

Police Officer David L. Reddy, Park Police Station.

The following exhibits were introduced into Evidence by the Prosecution:

Exhibit No. 1 - Telephone and Addresses of Police Officers - Park Police Station.

Exhibit No. 2a - Residence Certification from Personnel, dated 29 June 1973.

Exhibit No. 2b - Residence Certification from Personnel, dated 18 December 1973.

The Commissioners, after a discussion between themselves, without leaving the hearing room, then dismissed Specification No. 1 against Police Officer David L. Reddy, Park Police Station and Specification No. 3 against Police Officer Christopher J. Mills, Park Police Station.

After hearing testimony from Officers Mills and Reddy, the Police Commission then took the matter under submission at 2018 hours and will render a decision at a later date.

AYES: Commissioners Miller, Cardoza, Garner

(Recesses taken in the Hearing of Police Officers Christopher J. Mills and David L. Reddy:

1810 hours to 1823 hours.
1935 hours to 1950 hours.)

(The entire proceedings were taken in shorthand form by hearing reporter Dorsey McTaggart. C.S.R.)

RESOLUTION NO. 40-74

HEARING OF POLICE OFFICER PERCY E. COOKSEY, BUREAU OF SPECIAL SERVICES.

WHEREAS, the hearing of Police Officer Percy E. Cooksey, Bureau of Special Services, was called, it having been set for this date; and

WHEREAS, Mr. Atklin G. Brown, Attorney for Police Officer Percy E. Cooksey, Bureau of Special Services, has requested that a date for the hearing be set after the criminal proceedings have been disposed of in this matter; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Percy E. Cooksey, is set for Wednesday, 27 February 1974, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Miller, Cardoza, Garner

SERGEANT THOMAS J. O'HARA - IN MEMORIAM

A communication was received from Chief of Police Donald M. Scott officially notifying the Police Commission of the death of Sergeant Thomas J. O'Hara, Southern Station, who died on Wednesday, 16 January 1974.

The Communication was ordered filed.

AYES: Commissioners Miller, Cardoza, Garner

The Commission then adjourned its meeting.

SECRETARY

DOCUMENTS
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Minutes

30 JANUARY 1974 REGULAR MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, 30 January 1974, at 1730 hours.

PRESENT: Commissioners Miller, Cardoza, Garner

Commissioner Garner presiding.

The members of the Commission, having been furnished with copies of the minutes of the meeting of 23 January 1974, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Miller, Cardoza, Garner

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets be, and the same are hereby approved.

3198 TURK STREET - DEPARTMENT OF PUBLIC WORKS

a) At 3198 Turk Street, install a 65' red zone, to extend east of Arguello Boulevard.

2247 MARKET STREET - AMERICAN TYPEWRITER CO.

a) At 2247 Market Street, install a 42' yellow zone, to extend from 3' - 45' west of the west line of #2241 Market Street.

1901 BUSH STREET AND 1755 LAGUNA STREET - KONKO CHURCHES OF AMERICA

a) At 1909 Bush Street, revoke the existing 24' white zone.

b) At 1901 Bush Street, install a 25' white zone, to extend from 12' - 37' west of Laguna Street.

c) At 1755 Laguna Street, install a 25' white zone, to extend from 21' - 46' north of the South property line.

d) Permission to display portable No Parking signs in conjunction with these white zones.

20 JONES STREET - THE ADVERTISING CHECKING BUREAU, INC.

a) Remove parking meters JON-10 and JON-14.

b) At 20 Jones Street, install a 44' Special Truck Loading Zone, 7 A.M. - 6 P.M., to extend from 3' north to 41' south of the north building line.

751 WASHINGTON STREET - DAMON'S MARKET

a) At 743 Washington Street, revoke 16' from the existing 38' white zone.

b) At 751 Washington Street, install a 20' yellow zone, to extend from 6' - 26' east of Grant Avenue.

565 CLAY STREET - L'ODEON RESTAURANT

a) At 565 Clay Street, install a 25' white zone, to extend from 100' - 125' east of Montgomery Street.

b) Permission to display portable No Parking signs in conjunction with this white zone.

AYES: Commissioners Miller, Cardoza, Garner

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 361 feet of white, yellow and green zones at various parts of the City at the locations submitted be, and the same are hereby approved.

AYES: Commissioners Miller, Cardoza, Garner

PERMISSION TO TAKE LEAVES OF ABSENCE - APPROVED

The requests of the following named members of the Department for permission to take Leaves of Absence were approved:

MILITARY LEAVES - WITH PAY:

a) Lieutenant Nicholas N. Galousin, Ingleside Station, for eight days, 31 January 1974, 1 February 1974, 6 and 7 March 1974, 3 and 4 April 1974, and 1 and 2 May 1974.

b) Police Officer Dale V. Boyd, Crime Prevention Company, for two days, 16 and 17 February 1974.

c) Police Officer Henry C. Hunter, Southeast Station, for two days, 19 and 20 January 1974.

d) Police Officer Michael D. Nowlin, Ingleside Station, for two days, 12 and 13 January 1974.

e) Police Officer Albert N. Maracci, Jr., Traffic Bureau, for two days, 2 and 3 February 1974.

f) Police Officer Thomas J. Petrini, Central Station, for two days, 19 and 20 January 1974.

g) Police Officer Vincent Repetto, Northern Station, for one day, 12 January 1974.

h) Station Officer Stanley H. Gabara, Bureau of Criminal Information, (Communications) for two days, 12 and 13 January 1974.

i) Station Officer John M. Pesenti, City Prison, for two days, 26 and 27 January 1974.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 41-74

FREDERICK J. CHANDLER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Frederick J. Chandler against the City and County of San Francisco in the sum of $37.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 14, 1973

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 42-74

RONALD C. CHICCA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ronald C. Chicca against the City

and County of San Francisco in the sum of $432.11 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: December 2, 1973

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 43-74

JOHN J. CURTIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John J. Curtin against the City and County of San Francisco in the sum of $110.50 as the result of a collision with a police vehicle be, and the same is hereby approved.

Date of Accident: November 24, 1973

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 44-74

PATRICIA FISHER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Patricia Fisher against the City and County of San Francisco in the sum of $18.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 3, 1973

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 45-74

ROBERT HAMILL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert Hamill against the City and County of San Francisco in the sum of $369.63 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 19, 1973

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 46-74

JOHN S. KENNEDY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John S. Kennedy against the City and County of San Francisco in the sum of $15.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident:

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 47-74

PAUL A. KIEL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Paul A. Kiel against the City and County of San Francisco in the sum of $75.50 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: November 24, 1973

AYES: Commissioners Miller, Cardoza, Garner

JACQUES KOURKENE - CONTINUED ONE WEEK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jacques Kourkene against the City and County of San Francisco in the sum of $16.00 as the result of a faulty tow, be continued for one week.

Date of Incident: June 14, 1973

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 49-74

LEA MADISON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lea Madison against the City and

County of San Francisco in the sum of $29.65 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 20, 1973

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 50-74

HELEN MARY MARKT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Helen Mary Markt against the City and County of San Francisco in the sum of $373.90 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: November 27, 1973

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 51-74

PARKER MERRILL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Parker Merrill against the City and County of San Francisco in the sum of $16.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 4, 1973

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 52-74

GUIDO J. RICCI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Guido J. Ricci against the City and County of San Francisco in the sum of $20.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 3, 1973

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 53-74

FRANZ von UCKERMANN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Franz von Uckermann against the City and County of San Francisco in the sum of $325.00 as the result of having been falsely arrested, be, and the same is hereby approved.

Date of Incident: June 8, 1973

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 54-74

ROBERT J. ZINCHUK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert J. Zinchuk against the City and County of San Francisco in the sum of $15.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 19, 1973

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 55-74

ARLENE ROSALES AND HER ATTORNEYS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Arlene Rosales and her attorneys in the sum of $2,440.93 in Municipal Court Action No. 689-602 against the City and County of San Francisco, as the result of personal injuries sustained when struck by a police vehicle, be, and the same is hereby approved.

Date of Accident: January 30, 1973

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 56-74

EDITHE COTTON, LISA ANDERSON
AND THEIR ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Edithe Cotton and Lisa Anderson,

a minor, in the sum of $1,000 against the City and County of San Francisco, et al., Superior Court Action No. 625355, as the result of injuries sustained when struck by a police vehicle, be, and the same is hereby approved.

DAte of Accident: June 23, 1970

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 57-74

CALIFORNIA STATE AUTOMOBILE ASSOCIATION AND THEIR ATTORNEYS

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of the California State Automobile Association in the sum of $272.02 in Municipal Court Action No. 689-540 entitled"California State Automobile Association v. City and County of San Francisco, et al.," as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: September 16, 1972

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 58-74

POLICE CONTINGENT FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Donald M. Scott, in the sum of $3,750.00 charging same to Appropriation No. 3.161.890.000 to cover Contingent Fund disbursements for the month of February 1974.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 59-74

POLICE NARCOTIC FUND

RESOLVED, that the Controller, be, and he is hereby requested to draw a voucher in favor of Chief of Police Donald M. Scott, in the sum of $4,166.00 charging same to Appropriation No. 3.161.890.050 to cover Narcotic Fund disbursements for the month of February 1974,

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 60-74

DONALD M. SCOTT, CHIEF OF POLICE

RESOLVED, that Donald M. Scott, Chief of Police, be, and he is hereby authorized to attend a course at the FBI National Academy, Quantico, Virginia, from 11 February 1974 to 15 February 1974, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Donald M. Scott, Chief of Police, in attending the course are to be paid by the Federal Bureau of Investigation.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 61-74

AUTHORIZING WITHDRAWAL OF FUNDS FROM POLICE OFFICERS' TRAINING FUND.

RESOLVED, that the recommendation of the Chief of Police that $7,532.00 be withdrawn from the Police Officers' Training Fund, Appropriation No. 3.161.959.000.000, to finance the State required Middle Management course for newly appointed Lieutenants at San Jose State University from 8 April 1974 to 24 April 1974, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that said amount be made payable to the San Jose State University Foundation and sent to Captain George Eimil, Director of Personnel, for transmittal to the University.

AYES: Commissioners Miller, Cardoza, Garner

PERMISSION TO FILE CIVIL SUIT - APPROVED

The request of Assistant Inspector William H. Simms, Bureau of Inspectors, for permission to file a civil suit for injuries sustained as the result of an automobile accident, be, and the same is hereby approved.

AYES: Commissioners Miller, Cardoza, Garner

TRANSFER OF TAXICAB PERMIT - APPROVED

The matter of the transfer of the right to operate a taxicab by the following named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. The Estate of Edward Ross (Deceased)

was represented by William B. Wolfson, Attorney at Law, for Administratix Louise Gerke, who presented to the Police Commission Order Approving Sale of Depreciating Property, No. 182037, in the Matter of the Estate of Edward Ross, Deceased, Superior Court of the State of California, dated December 19, 1973 and filed December 19, 1973, signed by Judge Joseph Karesh, Judge of the Superior Court City and County of San Francisco, California. The transferee appeared in person and was not represented by counsel. The Commission approved the transfer of whatever right, title, or interest that the with-in named transferor might have to operate a taxicab to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
Estate of Edward Ross 1392 -25th Avenue San Francisco, Calif.	Albert F. Vella 4082½ Army Street San Francisco, Calif.	1

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 48-74

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation Ordinance from any fund designated by the Mayor or Controller, and credit it to the following appropriation in the amount indicated:

Appropriation No. 3.161.375.000 Traffic Citations $35,837.00

to provide funds for the purchase of one million Traffic Citations.

AYES: Commissioners Miller, Cardoza, Garner

WEEKLY SICK REPORT

Chief of Police Donald M. Scott, submitted a report of members of the Department off duty due to sickness and disability for the week ending Saturday, January 26, 1974, at 2400 hours, as follows:

Daily average for the week, sick	46	
Daily average for the week, disabled	46	
TOTAL		92
Daily percentage for the week, sick	2.33	
Daily percentage for the week, disabled	2.44	
TOTAL		4.77

The report was ordered filed.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 63-74

HEARING OF POLICE OFFICER MICHAEL D. MANLEY, SOUTHEAST POLICE STATION, CONTINUED TO FEBRUARY 13, 1974.

WHEREAS, the hearing of Police Officer Michael D. Manley, Southeast Police Station, was called, it having been set for this date; and

WHEREAS, Mr. William T. Beirne, Attorney at Law, appeared before the Police Commission and requested a continuance in the matter until 13 February 1974, therefore be it

RESOLVED, that the Police Commission on the request of Mr. William T. Beirne, Attorney at Law, does hereby continue the hearing on the charges filed against Police Officer Michael D. Manley, Southeast Police Station, to Wednesday, 13 February 1974 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 64-74

HEARING OF POLICE OFFICER RANDALL THORNE, SOUTHEAST POLICE STATION, CONTINUED TO FEBRUARY 13, 1974.

WHEREAS, the hearing of Police Officer Randall Thorne, Southeast Police Station, was called, it having been set for this date; and

WHEREAS, Mr. William T. Beirne, Attorney at Law, along with his client, Police Officer Randall Thorne, Southeast Police Station, appeared before the Police Commission and requested a continuance in the matter until 13 February 1974; therefore be it

RESOLVED, that the Police Commission on the request of Mr. William T. Beirne, Attorney at Law, does hereby continue the hearing on the charges filed against Police Officer Randal Thorne, Southeast Police Station, to Wednesday, 13 February 1974 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 65-74

HEARING OF POLICE OFFICER RICHARD P. WALLETT, INGLESIDE POLICE STATION, CONTINUED TO FEBRUARY 13, 1974

WHEREAS, the hearing of Police Officer Richard P. Wallett, Ingelside Police Station, was called, it having been set for this date; and

WHEREAS, Mr. William T. Beirne, Attorney at Law, along with his client, Police Officer Richard P. Wallett, Ingleside Police Station, appeared before the Police Commission and requested a continuance in the matter until 13 February 1974; therefore be it

RESOLVED, that the Police Commission on the request of Mr. William T. Beirne, Attorney at Law, does hereby continue the hearing on the charges filed against Police Officer Richard P. Wallett, Ingleside Police Station, to Wednesday, 13 February 1974 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Miller, Cardoza, Garner

HEARING OF ASSISTANT INSPECTOR PATRICK A. WOLFE, BUREAU OF INSPECTORS

The hearing of Assistant Inspector Patrick A. Wolfe, Bureau of Inspectors, was called, it having been set for this date. Assistant Inspector Patrick A. Wolfe, was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1:

Under the influence of intoxicating liquor to the Extent of Being Unable to Exercise Police Powers (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 2:

Breach of the Peace and Misconduct (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

in a properly verified complaint by Captain Charles A. Barca, Chief of Inspectors of the Bureau of Inspectors, San Francisco Police Department.

Assistant Inspector Patrick A. Wolfe appeared in person and was represented by George Walker, Attorney at Law.

Captain Mortimer McInerney, Bureau of Inspectors, appeared as Prosecutor for the Police Department.

Mr. Walker, Attorney for Assistant Inspector Patrick A. Wolfe, entered a plea of No Contest on both Specifications.

The following named witness appeared for the Prosecution, was sworn and testified:

Captain George Eimil, Director of Personnel

The following named witness was called for the Defense, was sworn and testified:

Officer John Devine, Bureau of Personnel.

The Commission took the matter under submission and then recessed from 1816 hours to 1822 hours after which the following resolution was adopted:

RESOLUTION NO. 66-74

DECISION - HEARING OF ASSISTANT INSPECTOR PATRICK A. WOLFE, BUREAU OF INSPECTORS.

WHEREAS, on 29 November 1973, Captain Charles A. Barca, Chief of Inspectors, Bureau of Inspectors, made and served charges against Assistant Inspector Patrick A. Wolfe, as follows:

SPECIFICATION NO. 1:

(a) That at or about 2235 hours on Mon 26

Nov 73, the accused was operating a vehicle, a 1970 Ford, California License 490 AYX, southbound on Mission Street from Vista Grand in the City of Daly City, County of San Mateo;

(b) That the accused was driving the vehicle with his headlights turned off and was noticed by a member of the Daly City Police Department;

(c) That when approached ny a member of the Daly City Police Department, said accused did stop the vehicle;

(d) That when asked for his Driver's License, the accused fell to the side of the front seat and when exiting the vehicle it was necessary for the accused to be supported by the door and the roof of the vehicle;

(e) That the accused had a strong odor of alcohol on his breath and was unable to walk without assistance of a member of the Daly City Police Department;

(f) That when brought to the Daly City Police Department it was necessary that the accused be physically carried from the patrol car to the building of the Daly City Police Department;

(g) That subsequently the accused was examined by a physician who observed that his eyes were bloodshot, watery, glassy and with dialated pupils, his speech was mumbling and incoherent and there was a strong odor of alcohol about his person;

(h) That the accused at this time made several inappropriate remarks to members of the Daly City Police Department and the attending physician;

(i) Because of the above stated conduct, the accused did violate Section 2.125 of the Rules and Procedures, which reads as follows:

> "Shall not, while on duty or in uniform, drink any kind of intoxicating liquor or whether on or off duty be under the influence of intoxicating liquor to such an extent that he will not always be prepared to exercise police powers and be entrusted with the performance of police duty in a calm, deliberate and efficient manner."

SPECIFICATION NO. 2:

(j) Paragraphs (a) through (i) are hereby incorporated as though fully contained therein;

(k) That the accused operated a vehicle under the influence of intoxicating liquor, was brought to the Daly City Police Department where he was booked for violation of Section 23102 of the Vehicle Code of the State of California;

(l) That it was necessary for a member of the San Francisco Police Department superior to the accused to respond to the Daly City Police Department to investigate the conduct of the accused and to receive property belonging to the San Francisco Police Department;

(m) Because of the above stated conduct, the accused did violate Section 2.13 of the Rules and Procedures, which reads as follows:

> "Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, 30 January 1974, and that on Wednesday, 30 January 1974, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that said charges made and filed against Assistant Inspector Patrick A. Wolfe, Bureau of Inspectors, as contained in Specifications No. 1 and No. 2, are sustained by the evidence presented at the hearing and that Assistant Inspector Patrick A. Wolfe, did violate Sections 2.125 and 2.13 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Assistant Inspector Patrick A. Wolfe, has violated Specification No. 1 Section 2.125 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that Assistant Inspector Patrick A. Wolfe, has violated Specification No. 2, Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that Assistant Inspector Patrick A. Wolfe, be suspended for a period of sixty-five (65) days for violation of each specification to run concurrently, starting Monday, 26 November 1973 at 2400 hours and terminating on Wednesday, 30 January 1974, at 2400 hours.

AYES: Commissioners Miller, Cardoza, Garner

Recess taken in the hearing of
Asst. Inspector Patrick A. Wolfe
1816 hours to 1822 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey McTaggart, C.S.R.)

RESOLUTION NO. 62-74

DECISION - HEARING OF POLICE OFFICER ROBERT J. MACEY, NORTHERN POLICE STATION.

"It is clear from the evidence submitted in this proceeding that Officer Macey is not disabled as he has claimed. It is the Commission's opinion that his application for a disability retirement was unjustified and nothing more than an attempt to defraud the City and County of San Francisco. To use the defense before this Commission that he was not asked if his disability symptoms were present without his knee brace is equivocation. We find that his very appearance before the Retirement Board was a "lie" in itself."

WHEREAS, on 14 December 1973, Acting Captain James Solden, Commanding Officer, Northern Police Station, of the San Francisco Police Department, made and filed charges against Officer Robert J. Macey, Northern Police Station, reading as follows:

SPECIFICATION NO. 1:

(a) That the accused regularly came before the Retirement Board on Wednesday, 5 Dec 73, on the motion of the accused that he be retired for disability pursuant to the provisions of the Charter of the City and County of San Francisco;

(b) That the accused was duly sworn prior to giving testimony before the Retirement Board;

(c) That the accused was asked specific questions to which he gave unequivocal answers;

(d) That prior to the above stated hearing the Retirement Board of the City and County of San Francisco had reason to believe that the accused was feigning disability;

(e) That pursuant to the determination by members of the Retirement Board and their staff, the activities of the accused were thoroughly investigated and motion pictures taken of his activities;

(f) That the testimony given before the Retirement Board was in complete variance with the investigation made by persons commissioned by the Retirement Board/

(g) That the activities of the accused were in violation of Section 118 of the Penal Code of the State of California, which is hereinafter quoted:

"118. (Perjury Defined.) Every person who, having taken an oath that he will testify, declare, depose, or certify truly before any competent tribunal, officer, or person, in any of the cases in which such an oath may by law be administered, wilfully and contrary to such oath, states as true any material matter which he knows to be false, and every person who testifies, declares, deposes, or certifies under penalty of perjury in any of the cases in which such testimony, declarations, depositions, or certification is permitted by law under penalty of perjury and wilfully states as true any material matter which he knows to be false, is guilty of perjury."

(h) Because of the above stated activities, the accused did violate Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

and

WHEREAS, purusuant to the Police Commission meeting held on Wednesday, 30 January 1974, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, 2 January 1974, and Wednesday, 16 January 1974, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that Police Officer Robert J. Macey, is guilty of giving false testimony before the Retirement Board and that said charges made and filed against Police Officer Robert J. Macey, are sustained by the evidence presented at the hearings on 2 January 1974, and 16 January 1974, therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Robert J. Macey has violated Specification No. 1, Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that for said violation, Police Officer Robert J. Macey, Northern Police Station, be immediately dismissed from the San Francisco Police Department.

AYES: Commissioners Miller, Cardoza, Garner

(Recess taken before giving decision in hearing of Robert J. Macey: 1747 hours to 1756 hours.)

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey McTaggart, C.S. R.)

MR. EDWARD HEAVY OF THE REGULAR VETERANS ASSOCIATION

Mr. Edward Heavy of the Regular Veterans Council Association appeared before the Police Commission and briefly spoke of the violent deaths that occurred on Monday evening in many parts of the City. He stated that additional manpower was needed and issued an appeal to able-bodied citizens of San Francisco to offer their services as Volunteer Reserve Police Officers to combat this wave of terror that is now upon the streets of San Francisco.

The Commission then adjourned its meeting.

SECRETARY

2/6/74 SF Police Commission Minutes

-56-

6 FEBRUARY 1974 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, 6 February 1974, at 1730 hours in regular session.

DOCUMENTS
FEB 13 1974
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PRESENT: Commissioners Miller, Cardoza, Garner.

Commissioner Garner presiding.

POLICE COMMISSIONER WASHINGTON E. GARNER, M. D. - REAPPOINTED

Washington E. Garner, M. D., duly reappointed by His Honor, Mayor Joseph L. Alioto, as a Police Commissioner of the City and County of San Francisco, vice himself, term expired, and to hold office for the term ending January 15, 1978, presented for inspection of the Police Commission his commission under the Seal of the City and County of San Francisco and signed by His Honor, Joseph L. Alioto, and attested by John A. De Luca, Executive Secretary to the Mayor. The said Commission running in words and figures as follows:

THE CITY AND COUNTY OF SAN FRANCISCO
STATE OF CALIFORNIA

To all whom these presents shall come; GREETINGS:

Reposing special confidence in the fidelity and ability of Washington E. Garner, M. D., I do, by these presents, by virtue of the authority vested in me by the Charter of the City and County of San Francisco, appoint him a member of the Police Commission in and for the City and County of San Francisco, he to hold said office for the term ending January 15, 1978 from and after the twenty-ninth day of January, 1974 vice himself, term expired.

IN TESTIMONY WHEREOF, I have signed my name and have caused the seal of my office to be affixed hereto this twenty-ninth day of January, 1974.

(Signed) Joseph L. Alioto
Mayor

Attest:
(Signed)
John S. De Luca
Executive Secretary to the Mayor

The certificate of reappointment was ordered spread upon the minutes.

The members of the Commission having been furnished copies of the minutes of the meeting of January 30, 1974, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Miller, Cardoza, Garner.

PERMISSION TO TAKE LEAVES OF ABSENCE - APPROVED

The requests of the following named members of the Department for permission to take Leaves of Absence were approved:

MILITARY LEAVES - WITH PAY

a) Sergeant James Glafkides Jr., Taraval Station, for five days, 4 February 1974 to 8 February 1974, inclusive.

b) Police Officer Allan C. Bierman, Southern Station, for one day, 12 January 1974.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 67-74

LUCILLE J. FRIEDMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lucille J. Friedman against the City and County of San Francisco in the sum of $145.62 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: November 6, 1973

AYES: Commissioners Miller, Cardoza, Garner.

RESOLUTION NO. 68-74

PETER ZAJDA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Peter Zajda against the City and County of San Francisco in the sum of $18.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 19, 1973

AYES: Commissioners Miller, Cardoza, Garner.

RESOLUTION NO. 69-74

AUTHORIZING ATTENDANCE OF DIRECTOR RODNEY E. WILLIAMS, COMMUNITY RELATIONS UNIT, AT THE NATIONAL ASSOCIATION OF POLICE COMMUNITY RELATIONS OFFICERS' WORKSHOP WITH THE PRESIDENT OF THE POLICE COMMISSION, DR. WASHINGTON E. GARNER, IN LITTLE ROCK, ARKANSAS, FROM 10 MARCH 1974 TO 13 MARCH 1974, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Director Rodney E. Williams, Community Relations Unit, be detailed to attend the National Association of Police Community Relations Officers' Workshop with the President of the Police Commission, Dr. Washington E. Garner, in Little Rock, Arkansas, from 10 March 1974 to 13 March 1974, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Director Rodney E. Williams, Community Relations Unit, in a sum not to exceed $388.55 in attending the Workshop will be defrayed by the Police Department's Community Relations Fund; and be it further

RESOLVED, that expenses incurred by Dr. Washington E. Garner, President of the Police Commission, in a sum not to exceed $388.55 in attending the Workshop will be defrayed by the Police Department's Travel Expense Fund.

AYES: Commissioners Miller, Cardoza, Garner.

RESOLUTION NO. 70-74

AUTHORIZING ATTENDANCE OF LIEUTENANT CHARLES F. ELLIS, INSPECTORS WILLIAM ARMSTRONG, AND GUS CORERIS, BUREAU OF INSPECTORS, AT THE FIFTH ANNUAL CONFERENCE OF THE CALIFORNIA HOMICIDE INVESTIGATORS, IN SACRAMENTO, CALIFORNIA, ON MARCH 13, 14, 15, 1974.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Charles F. Ellis, Inspectors William Armstrong, and Gus Coreris, Bureau of Inspectors, be detailed to attend the Fifth Annual Conference of the California Homicide Investigators, in Sacramento, California, on March 13, 14, 15, 1974, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Charles F. Ellis, Inspectors William Armstrong, and Gus coreris, Bureau of Inspectors, in a sum not to exceed $65.00 each in attending this conference will be defrayed by the Police Department's Officers' Training Fund.

AYES: Commissioners Miller, Cardoza, Garner.

RESOLUTION NO. 71-74

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY CAPTAIN HUGH C. ELBERT AND SERGEANT BILL R. TAYLOR, BUREAU OF INTERNAL AFFAIRS, TO ATTEND THE SCIENTIFIC INVESTIGATION DIVISION OF THE LOS ANGELES POLICE DEPARTMENT, LOS ANGELES, CALIFORNIA, ON 22 and 23 JANUARY, 1974.

WHEREAS, on the recommendation of the Chief of Police, Captain Hugh C. Elbert and Sergeant Bill R. Taylor, Bureau of Internal Affairs, received permission from the Police Commission to attend the Scientific Investigation Division of the Los Angeles Police Department, Los Angeles, California; and

WHEREAS, Captain Hugh C. Elbert and Sergeant Bill R. Taylor, Bureau of Internal Affairs, did travel to Los Angeles, California, to attend said Division on 22 and 23 January 1974; therefore be it

RESOLVED, that expenses in the amount of $71.00 each incurred by Captain Hugh C. Elbert and Sergeant Bill R. Taylor, Bureau of Internal Affairs, while attending said Division, are hereby approved. Expenses will be defrayed by the Police Department's Officers' Training Fund.

AYES: Commissioners Miller, Cardoza, Garner.

RESOLUTION NO. 72-74

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be and he is hereby requested to draw a Supplemental Appropriation Ordinance from the following appropriation number in the amount shown:

Appropriation 3.161.110.000 Permanent Salaries - Uniformed Force $4,958,644.00

and credit the following appropriation in the amount indicated:

Appropriation 3.161.110.000 Permanent Salaries - Uniformed Force $4,958,644.00

to provide for reclassification and retitling of uniformed force positions per Civil Service Commission action of February 4, 1974.

AYES: Commissioners Miller, Cardoza, Garner.

RESOLUTION NO. 73-74

AUTHORIZING ATTENDANCE OF ASSISTANT INSPECTORS EDWARD TANK, GIRARD EVANS, SAMUEL HAMILTON, AND MICHAEL WILCOX, BUREAU OF INSPECTORS, AT THE CALIFORNIA DEPARTMENT OF JUSTICE ADVANCED TRAINING CENTER, SURVEILLANCE AND EQUIPMENT SCHOOL, SACRAMENTO, CALIFORNIA. ONE MAN TO BE SO DETAILED FOR EACH MONTH FROM 1 FEBRUARY 1974 TO 31 MAY 1974.

RESOLVED, that the recommendation of the Chief of Police that Assistant Inspectors Edward Tank, Girard Evans, Samuel Hamilton, and

Michael Wilcox, Bureau of Inspectors, be detailed for three days each month to attend the California Department of Justice Advanced Training Center, Surveillance and Equipment School, Sacramento, California, from 1 February 1974 to 31 May 1974, be, and the same is hereby approved.

AYES: Commissioners Miller, Cardoza, Garner.

WEEKLY SICK REPORT

Chief of Police Donald M. Scott submitted a report of members of the Department off duty due to sickness and disability for the week ending Saturday, 2 February 1974, at 2400 hours, as follows:

Daily average for the week, sick	48	
Daily average for the week, disabled	51	
TOTAL		99
Daily percentage for the week, sick	2.44	
Daily percentage for the week, disabled	2.71	
		5.15

The report was ordered filed.

AYES: Commissioners Miller, Cardoza, Garner.

RESOLUTION NO. 74-74

AUTHORIZING THE MAYOR OF THE CITY AND COUNTY OF SAN FRANCISCO TO APPLY FOR AND ACCEPT FUNDS FROM THE CALIFORNIA OFFICE OF CRIMINAL JUSTICE PLANNING FOR A PROJECT ENTITLED: "POLICE YOUTH SERVICES SECTION".

RESOLVED, that the Police Commission does hereby authorize the Mayor to apply for and accept a grant of funds from the California Council of Criminal Justice, as follows:

$11,928 - For the purpose of funding the project submitted by the City and County of San Francisco referred to as the "Police Youth Services Section".

AYES: Commissioners Miller, Cardoza, Garner.

LIEUTENANT GLORIA WATERS, CAL-STATE PATROL SERVICE, RE PROVIDING POLICE PATROL SERVICE FOR THE SAN FRANCISCO MUNICIPAL TRANSIT SYSTEM - CONTINUED OFF CALENDAR.

Lieutenant Gloria Waters, Cal-State Patrol Service, notified the Police Commission that due to the fact that she was ill she would not be able to attend, and the matter was then continued off calendar.

AYES: Commissioners Miller, Cardoza, Garner.

RESOLUTION NO. 75-74

POLICE OFFICER PAUL R. CACEK, CITY PRISON

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Paul R. Cacek, City Prison, as follows:

SPECIFICATION NO. 1

Under the influence of intoxicating liquor to the extent of not being able to exercise police powers (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department)

by Jeremiah P. Taylor, Captain of Police, Supervising Captain of the San Francisco Police Department; therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Police Officer Paul R. Cacek, City Prison, be, and the same is hereby set for Wednesday, 13 February 1974, in Room 551, Hall of Justice, at 5:30 p.m.

AYES: Commissioners Miller, Cardoza, Garner.

RESOLUTION NO. 76-74

DECISION - HEARING OF POLICE OFFICER DAVID L. REDDY, GOLDEN GATE PARK STATION

WHEREAS, on 6 December 1973, Captain John C. Doherty, Commanding Officer of Golden Gate Park Station, San Francisco Police Department, made and filed charges against Police Officer David L. Reddy, Golden Gate Park Station, reading, as follows:

SPECIFICATION NO. 1

(a) That on or about September 8, 1973, the accused was in a tavern known as the Park Vista Tavern, 756 Stanyan Street, in company with a female companion;

(b) That at or about 2000 hours on the hereinabove mentioned date, the husband of the female companion of the accused came to said tavern and a verbal altercation ensued;

(c) That in response to the verbal altercation, the accused did strike the husband of the female companion of the accused, without lawful authority;

(d) That the husband of the female companion of the accused at the time he was struck was holding an eleven month old girl in his arms;

(e) That because of the above stated conduct, the accused did violate Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which reads, as follows:

> "Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board".

SPECIFICATION NO. 2

(f) Paragraphs (a) through (e) are hereby incorporated as though fully set forth herein;

(g) That because of the conduct of the accused as stated in Specification No. 1, the husband of the female companion of the accused caused an investigation to be made of the activities of the accused;

(h) That members of the Department specifically assigned to investigate the conduct of the accused had occasion to interview the accused;

(i) That at the initial interview of the accused, the accused stated that on the hereinabove mentioned date he could only have been in the above-mentioned tavern for a very short period of time to make a telephone call and that he did not speak to anyone nor did he believe anyone saw him; the accused also denied knowing his female companion was married;

(j) That on or about October 30, the accused was again interviewed and at this interview the accused admitted that he had been untruthful in his original interview;

(k) That because of the above-stated conduct, the accused did violate Section 2.49 of the Rules and Procedures of the San Francisco Police Department which reads as follows:

> "Shall, when called upon by a superior officer, or by one specially assigned by lawful authority to conduct an investigation involving police matters, or any matter affecting the conduct of a member or members, truthfully answer all questions propounded. All reports, statements, and declarations made orally, or in writing in the foregoing matters shall contain the truth without evasion."

SPECIFICATION NO. 3

(l) Paragraphs (a) through (k) are hereby incorporated as though fully set forth herein;

(m) That the accused while being interviewed admitted that he is living at 627 Montezuma Street in the City of Pacifica;

(n) That the personnel records of the accused indicate he is living at 632 Third Avenue in San Bruno;

(o) That the Records of the Golden Gate Park Station indicate that the accused is living at 29 Woodland Street in San Francisco;

(p) That because of the above stated conduct, the accused did violate Section 2.21 of the Rules and Procedures of the San Francisco Police Department which reads as follows:

> "Shall report in writing to his commanding officer any change of residence, with new address and telephone number, if any, within twenty-four (24) hours after said change has been made."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, 23 January 1974, and that on 6 February 1974, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that said charges made and filed against Police Officer David L. Reddy, Park Police Station, as contained in Specification No. 1, Section 2.13 of the Rules and Procedures are not sustained by the evidence presented at the hearing, and that Police Officer David L. Reddy did not violate Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, the Police Commission finds that said charges made and filed against Police Officer David L. Reddy as contained in Specification No. 2 are sustained by the evidence presented at the hearing, and that Police Officer David L. Reddy, violated section 2.49 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, the Police Commission finds that said charges made and filed against Police Officer David L. Reddy, as contained in Specification No. 3 are sustained by the evidence presented at the hearing and that Police Officer David L. Reddy violated section 2.21 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer David L. Reddy has violated Specification No. 2, Section 2.49 of the Rules and Procedures of the San Francisco Police Department, and for said violation he shall be suspended from duty, without pay, for a period of sixty (60) days; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer David L. Reddy has violated Specification No. 3, Section 2.21 of the Rules and Procedures of the San Francisco Police Department, and for said violation he shall be suspended from duty, without pay, for a period of five (5) days; and be it further

RESOLVED, that it is the order of the Police Commission that said suspensions shall run concurrently commencing at 0001 hours, Thursday, 7 February 1974, and terminate at 2400 hours, Sunday, 7 April 1974.

AYES: Commissioners Miller, Cardoza, Garner.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey McTaggart, C.S.R.)

RESOLUTION NO. 77-74

DECISION - HEARING OF POLICE OFFICER CHRISTOPHER J. MILLS, PARK POLICE STATION.

WHEREAS, on 6 December 1973, John C. Doherty, Captain of Police, Commanding Officer of Golden Gate Park Station, made and served charges against Police Officer Christopher J. Mills, Park Police Station, as follows:

SPECIFICATION NO. 1

(a) That on or about September 8, 1973, at approximately 2000 hours, the accused was physically present at a tavern known as the Park Vista Tavern located at 756 Stanyan Street;

(b) That present also at the above-mentioned time and place was a fellow officer and his female companion;

(c) That the fellow officer of the accused became engaged in a physical altercation with the husband of the female companion of the fellow officer;

(d) That as a result of this physical altercation, members of the San Francisco Police Department were specifically assigned to investigate the activities of the fellow officer;

(e) That the accused was interviewed by members of the Department specifically assigned to investigate a police matter and informed them that he was not present at the Park Vista Tavern at the above stated time and date;

(f) That, subsequently, the fellow officer of the accused and the fellow officer were both present at the Park Vista Tavern on September 8, 1973 at or about 2000 hours;

(g) That because of the above-stated conduct, the accused did violate Section 2.49 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

> "Shall, when called upon by a superior officer, or by one specially assigned by lawful authority to conduct an investigation involving police matters, or any matter affecting the conduct of a member or members, truthfully answer all questions propounded. All reports, statements, and declarations made orally, or in writing in the foregoing matters shall contain the truth without evasion."

SPECIFICATION NO. 2

(h) Paragraphs (a) through (g) are hereby incorporated as though fully set forth herein;

(i) That the records of the San Francisco Police Department disclose that on September 8, 1973, the accused was on sick leave;

(j) That because of the activities of the accused as hereinabove stated in Specification No. 1, the accused did leave his residence while on sick leave and was in violation of Section 5.57 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

> "Shall, while absent from duty on account of sickness or disability, strictly comply with the instructions of the police surgeon and remain at his residence, unless otherwise authorized by said surgeon."

SPECIFICATION NO. 3

(k) Paragraphs (a) through (j) are hereby incorporated as though fully set forth herein;

(l) That the records of the Golden Gate Park Station indicate that the accused is living at 627 Montezuma Street in the City of Pacifica;

(m) That the accused does not have the permission of the Retirement Board nor the Civil Service Commission to live without the City and County of San Francisco;

(n) That Section 16.99 of the Administrative Code of the City and County of San Francisco requires that all employees of the City and County of San Francisco live within the City and County of San Francisco unless permission is granted by the Civil Service Commission and the Retirement Board;

(o) That because of the above-stated conduct, the accused did violate Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, 23 January 1974, and that on 6 February 1974, the matter was submitted to the Police Commission for Decision; and

WHEREAS, the Police Commission finds that said charges made and filed against Police Officer Christopher J. Mills, Park Police Station, as contained in Specification No. 3, Section 2.13 of the Rules and Procedures are not sustained by the evidence presented at the hearing and that Police Officer Christopher J. Mills did not violate Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, the Police Commission finds that said charges made and filed against Police Officer Christopher J. Mills, as contained in Specification No. 1 and Specification No. 2, are sustained by the evidence presented at the hearing, and that Police Officer Christopher J. Mills violated Sections 2.49 and 5.57 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Christopher J. Mills has violated Specification No. 1, Section 2.49 and Specification No. 2, Section 5.57 of the Rules and Procedures of the San Francisco Police Department, and for said violations he shall be dismissed from the San Francisco Police Department; and be it further

RESOLVED, that said dismissal, effective 6 February 1974, at 1830 hours, be, and the same is hereby affirmed and approved.

AYES: Commissioners Miller, Cardoza, Garner.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey McTaggart, C.S.R.)

RESOLUTION NO. 78-74

POLICE OFFICER WAYNE J. PICKERING, PARK POLICE STATION

WHEREAS, on Wednesday, 7 November 1973, Police Officer Wayne J. Pickering, Park Police Station, in a hearing before the Police Commission submitted a plea of guilty to Specification No. 1, Violation of Rule 2.36 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, it was the order of the Police Commission that for said violation, Police Officer Wayne J. Pickering report to the Department's Physical Training Officer every other week and re-appear before the Police Commission in thirteen (13) weeks with his weight conforming to the Department's requirements; and

WHEREAS, Police Officer Wayne J. Pickering, after thirteen (13) weeks, re-appeared before the Police Commission with his weight not conforming to San Francisco Police Department Requirements, but did present mitigating circumstances as to why he was unable to conform to said requirements; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Wayne J. Pickering, report to the Department's Physical Training Officer, who will prepare a physical health program which Officer Pickering must follow to lose weight; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer Wayne J. Pickering, re-appear before the Police Commission in twelve (12) weeks with his weight conforming to the Department requirements; and be it further

RESOLVED, that if Police Officer Wayne J. Pickering, upon his re-appearance before the Police Commission proves that he then conforms to the height and weight requirements of the Department, said charges as filed in Specification No. 1, violation of Rule 2.36, may be dismissed.

AYES: Commissioners Miller, Cardoza, Garner.

(The entire proceedings were taken in shorthand form by Dorsey McTaggart, C.S.R.)

HEARING OF POLICE OFFICER KENNETH J. INGRAM, PARK POLICE STATION

The hearing of Police Officer Kenneth J. Ingram, Park Police Station, was called for hearing, it having been set for this date. Police Officer Kenneth J. Ingram was charged with violating the Rules and Procedures of the San Francisco Police Department, as follows:

SPECIFICATION NO. 1 - SECTION 2.13

Misconduct

SPECIFICATION NO. 2 - SECTION 2.13

Neglect of Duty

In a properly verified complaint by John C. Doherty, Captain of Police, Commanding Officer of Golden Gate Park Police Station.

Police Officer Kenneth J. Ingram appeared in person and was represented by Mr. William T. Beirne, Attorney at Law.

Captain Mortimer F. McInerney, Captain of Inspectors, appeared as Prosecutor for the Police Department.

Police Officer Kenneth J. Ingram entered a plea of not guilty to each and every allegation contained in Specification No. 1 and Specification No. 2.

The following named witnesses appeared for the Prosecution, were sworn and testified:

Mr. Raymond Cavanaugh, 1834 - 48th Avenue, San Francisco.
Mrs. Carol Cavanaugh, 1834 - 48th Avenue, San Francisco.
Mr. Russell C. Murray, 56 Naples Street, San Francisco.
Miss Chris Temple, 641 Panorama Drive, San Francisco.

The following exhibits were introduced into Evidence by the Prosecution:

Exhibit No. 1 - Black & White photograph of Willy's pick-up truck, Cal. Lic 12 786 P.

Exhibit No. 2 - Black & White photo of interior of Willy's truck shot from the right hand side with the door opened to expose the interior.

Exhibit No. 3 - Black & White photo of lower left interior of Willy's pick-up truck shot from the left hand side with the door opened to expose the lower left interior.

After listening to testimony from the last two witnesses for the Prosecution, Mr. Russell C. Murray, and Miss Chris Temple, Prosecuting and Defense Attorney's approached the Commissioners and it was stipulated that Specification No. 1 violation of Rule 2.13 of the Rules and Procedures of the San Francisco Police Department as charged against Police Officer Kenneth J. Ingram, be dismissed.

Mr. William T. Bierne then stated that in behalf of his client Police Officer Kenneth J. Ingram, he would enter a plea of guilty to Specification No. 2, violation of Rule 2.13 of the Rules and Procedures of the San Francisco Police Department.

The Police Commission then ruled that in view of the above, Police Officer Kenneth J. Ingram, Park Station, for violation of Specification No. 2, Section 2.13 of the Rules and Procedures of the San Francisco Police Department, be remanded to the Chief of Police for subsequent disposition under Rule 3.06 of the Rules and Procedures of the San Francisco Police Department.

AYES: Commissioners Miller, Cardoza, Garner.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey McTaggart, C.S.R.)

Recesses taken in the hearing of Police Officer Kenneth J. Ingram -
1917 to 1927 Hours
2047 to 2109 Hours

The Commission adjourned its meeting in respect to the memory of Police Officer Harry R. Farnlacher, Taraval Station, who died on Sunday, 3 February 1974.

SECRETARY

74
c.2

13 FEBRUARY 1974 Minutes REGULAR MEETING

DOCUMENTS
FEB 21 1974
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The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, 13 February 1974, at 1730 hours.

PRESENT: Commissioners Miller, Cardoza, Garner

Commissioner Garner presiding.

The members of the Commission, having been furnished with copies of the minutes of the meeting of 6 February 1974, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Miller, Cardoza, Garner

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets be, and the same are hereby approved.

2475 GREENWICH STREET - JUVENILE BUREAU - YOUTH SERVICES DIVISION

a) At 2475 Greenwich Street, install a 69' white zone, to extend from 15' - 84' east of the west property line.

b) Permission to display portable No Parking signs in conjunction with this white zone.

380 BRANNAN STREET - CELLAR TEMP. INC.,

a) At 380 Brannan Street, revoke existing 40' yellow zone.

b) At 380 Brannan Street, install a 40' green zone, to extend from 15' - 55' east of the west line of the building.

2311 TARAVAL STREET - SOCIAL SECURITY ADMINISTRATION

a) At 2311 Taraval Street, install a 40' white zone, to extend from 24' - 64' west of 33rd Avenue.

b) Permission to display portable No Parking signs in conjunction with this white zone.

660 THIRD STREET - SOUTH END WAREHOUSE CO.

a) At 660 Third Street, revoke existing 36' yellow zone.

b) At 660 Third Street, install a 76' yellow zone, to extend from 66' - 142' south of the railway right-of-way.

c) Remove parking meters 3ST-646 and 3ST-648.

d) At 660 Third Street, install an 18' yellow zone, to extend from 19' - 37' south of the north property line.

e) Remove parking meter 3ST-636.

#1 WILDER STREET - #600, #601, #698 and #699 ARLINGTON STREET - and 500 BOSWORTH STREET - MUNI

a) At #1 Wilder Street, install 15' red, west of Arlington Street.

b) At #2 Wilder Street, install 15' red, west of Arlington Street.

c) At approx. 601 Arlington Street, install 40' red, to extend from 10' - 50' south of light pole #61.

d) At 600 Arlington Street, install 10' red, south of Wilder Street.

e) At 500 Bosworth Street, install 15' red, east of Arlington Street.

f) At 698 Arlington Street, install 21' red, north of Bosworth Street.

g) At 699 Arlington Street, install 10' red, north of Bosworth Street.

AYES: Commissioners Miller, Cardoza, Garner

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 402 feet of yellow, red, green and white zones at various parts of the City at the locations submitted be, and the same are hereby approved.

AYES: Commissioners Miller, Cardoza, Garner

PERMISSION TO TAKE LEAVES OF ABSENCE - APPROVED

The requests of the following named members of the Department for permission to take Leaves of Absence were approved:

MILITARY LEAVES - WITH PAY:

a) Inspector Daniel J. Murphy, Bureau of Inspectors, for one day, 8 February 1974.

b) Sergeant Victor M. Wode, Operation Center, for two days, 9 and 10 February 1974.

c) Police Officer Richard W. Barber, Southern Station, for one day, 9 February 1974.

d) Police Officer Theodore K. Barker, Richmond Station, for two days, 2 and 3 February 1974.

e) Police Officer John J. Comisky, Crime Prevention Company - Mounted, for two days, 16 and 17 February 1974.

f) Police Officer Croce A. Casciato, Central Station, for two days, 19 and 20 January 1974.

g) Police Officer Dennis P. Martel, Mission Station, for two days, 2 and 3 February 1974.

h) Police Officer Robert D. Frediani, Traffic Bureau, for four days, 1 and 2 December 1973, and 2 and 3 February 1974.

AYES: Commissioners Miller, Cardoza, Garner

RETIREMENT

Communication was received from the Retirement Board officially notifying the Police Commission of the retirement

of Police Officer Edison Bloom, Taraval Police Station, for industrial disability, effective 3 January 1974.

The communication was ordered filed.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 79-74

R. S. BLACKMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of R. S. Blackman against the City and County of San Francisco in the sum of $22.50 as the result of towing and storage charges when his auto was impounded for prints, be, and the same is hereby approved.

Date of Incident: September 3, 1973

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 80-74

MARY W. CARR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mary W. Carr against the City and County of San Francisco in the sum of $20.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 21, 1973

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 81-74

FRANK DEMARTINI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Frank DeMartini against the City and County of San Francisco in the sum of $16.00 as the result of towing charges when his auto was impounded, be, and the same is hereby approved.

Date of Incident: December 20, 1973

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 82-74

ELLEN B. FRANKEL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ellen B. Frankel against the City and County of San Francisco in the sum of $16.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 26, 1973

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 83-74

JACQUES KOURKENE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jacques Kourkene against the City and County of San Francisco in the sum of $16.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 14, 1973

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 84-74

KATHY ANN PORTER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kathy Ann Porter against the City and County of San Francisco in the sum of $34.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 28, 1973.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 85-74

LAWRENCE A. STROMINGER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lawrence A. Strominger against the City and County of San Francisco in the sum of $370.23 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 31, 1973

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 86-74

LEAVE OF ABSENCE WITHOUT PAY - DENIED

RESOLVED, that the request of Joan Thomas, Parking Controlman, Traffic Bureau, for extension of Leave of Absence Without Pay from 18 March 1974 to 1 June 1974, inclusive, for the purpose of continuing her work with the American Federation of State, County, and Municipal Employees, AFL/CIO, Local 96, be, and the same is hereby denied.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 88-74

AMENDING PART II, CHAPTER XI (TRAFFIC CODE) OF THE SAN FRANCISCO MUNICIPAL CODE BY ADDING SECTION 32.6.1. THERETO RELATING TO CITY OPERATED PARKING LOT USED BY THE HALL OF JUSTICE FACILITY.

RESOLVED, that the Board of Supervisors be, and they are hereby requested to amend Part II, Chapter XI, of the San Francisco Municipal Code (Traffic Code) as follows:

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter XI (Traffic Code) of the San Francisco Municipal Code is hereby amended by adding Section 32.6.1. thereto to read as follows:

SEC. 32.6.1. PARKING CONTROL, PAVED AREAS AND STRUCTURES ON THE CITY OPERATED PROPERTY ON THE RIGHT-OF-WAY OF THE JAMES LICK FREEWAY UTILIZED FOR ADDITIONAL PARKING BY THE HALL OF JUSTICE FACILITY: Penalties for Violation. No person shall stop, park or leave standing any vehicle, whether attended or unattended within the property lines of the area upon which the right-of-way of the James Lick Freeway is situated, bounded by the northwesterly side of Ahern Street, the southwesterly side of Sixth Street, the northwesterly side of Harriet Street, except (1) official city-owned vehicles under the jurisdiction of the Police Department and (2) an officer or employee of the City and County of San Francisco having a permit therefor issued by the Chief of Police and during the conduct by such officer or employee of the business of the City and County. Violation of this section is an infraction and any vehicle stopped, parked, or left standing in any place prohibited by this section is an obstruction to the free use of

property and a nuisance within the meaning of Division 4, Part III of the Civil Code of California relating to nuisances and the abatement thereof.

APPROVED AS TO FORM: APPROVED:

THOMAS M. O'CONNOR, CITY ATTORNEY THE POLICE COMMISSION

_____ _____

Secretary

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 89-74

REQUEST TO TRANSFER RESERVE FUNDS

RESOLVED, that the Controller be, and he is hereby requested to transfer reserve funds in the sum of $100,000 from Appropriation No. 3.161.110.000.000 (Permanent Salaries - Uniformed Force) to Appropriation No. 3.161.113.000.000 (Extended Work Week - Uniformed Force) as authorized by Ordinance No. 304-74, August 2, 1973.

AYES: Commissioners Miller, Cardoza, Garner

MR. HERBERT ZIESCH - HAYES VALLEY COMMUNITY ASSOCIATION

Mr. Herbert Ziesch of the Hayes Valley Community Association, appeared before the Police Commission and stated that due to the fact that he was unprepared to make his presentation, requested that he be put over until 27 February 1974 at 5:30 p.m..

The Police Commission granted his request.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTIONS OF THE POLICE COMMISSION AUTHORIZING AND REGULATING THE USE OF THE NAME OF THE SAN FRANCISCO POLICE DEPARTMENT - CONTINUED OFF CALENDAR FOR TWO (2) WEEKS.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 87-74

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY (JITNEY BUS PERMIT - HEARING TO REVOKE - CONTINUED OFF CALENDAR FOR THREE MONTHS.

WHEREAS, there was granted to Joginder Sidhu on August 15, 1973,

a permit and/or license for the operation of one (1) jitney bus; and

WHEREAS, pursuant to an investigation conducted by the Vehicle Inspection Detail of the San Francisco Police Department, the Chief of Police was advised that Joginder Sidhu was not operating his jitney bus and had not so operated said vehicle for a period in excess of ten (10) consecutive days and was therefore in violation of the provisions of Section 1079 of the Police Code; and

WHEREAS, Joginder Sidhu having submitted a letter to the Police Commission requesting he be allowed an extension of time to locate a driver to operate his jitney bus permit; and

WHEREAS, the Police Commission feels that an extension of three (3) months would be sufficient time to allow Mr. Sidhu to locate a driver to operate his jitney bus permit; therefore be it

RESOLVED, that the request of Mr. Joginder Sidhu for an extension of three (3) months to locate a driver to operate his jitney bus permit, be, and the same is hereby approved.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 90-74

SUPPLEMENTAL BUDGET FOR FISCAL YEAR 1974/1975 - SAN FRANCISCO POLICE DEPARTMENT.

RESOLVED, that the Supplemental Budget of the San Francisco Police Department for the Fiscal Year 1974/1975, as submitted by Chief of Police Donald M. Scott in the following amount be, and the same is hereby approved.

Supplemental Budget $560,641.00

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 92-74

RULES AND PROCEDURES - PERMANENT ORDER NO. 12, DATED 18 MAY 1973 - AMENDED

RESOLVED, that effective at 0000 hours, Thursday, 14 February 1974, the Rules and Procedures and Permanent Order No. 12, dated 18 May 1973, of the San Francisco Police Department, be, and the same are hereby amended to read as follows:

V.13 DAY

Twenty-four (24) hours commencing at 0000 hours and ending at 2400 hours the same day.

The midnight watch shall be indicated as 0000 to 0800 hours.

The day watch shall be indicated as 0800 hours to 1600 hours.

The evening watch shall be indicated as 1600 hours to 2400 hours.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 93-74

RULES AND PROCEDURES OF THE SAN FRANCISCO POLICE DEPARTMENT - AMENDED

RESOLVED, that effective 0000 hours, Thursday, 14 February 1974, the Rules and Procedures of the San Francisco Police Department are hereby amended to read as follows:

2.168 USE OF ELECTRONIC TAPING EQUIPMENT (NEW RULE ADDED)

No member shall use any electronic taping equipment or device, tape recorder or other similar apparatus in the scope and pursuit of police duties wherein any party being recorded or taped is not informed or made aware that his vocal communication is being so recorded or taped, unless the use of such equipment or device for the taping or recording of a particular communication had been previously authorized in writing by the member's commanding officer.

AYES: Commissioners Miller, Cardoza, Garner

WEEKLY SICK REPORT

Chief of Police, Donald M. Scott, submitted a report of members of the department off duty due to sickness and disability for the week ending Saturday, 9 February 1974, at 2400 hours, as follows:

Daily average for the week, sick	43	
Daily average for the week, disabled	50	
TOTAL		93

Daily percentage for the week, sick	2.17	
Daily percentage for the week, disabled	2.65	
TOTAL		4.82

The report was ordered filed.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 94-74

HEARING OF POLICE OFFICER DANIEL A. DRISCOLL, RICHMOND POLICE STATION

WHEREAS, the hearing of Police Officer Daniel A. Driscoll, Richmond Police Station, was called, it having been set for this date; and

WHEREAS, the Police Commission has received a written request from Mr. George J. Engler, Attorney at Law, who is representing Police Officer Daniel A. Driscoll, Richmond Police Station, requesting a continuance in this matter; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Daniel A. Driscoll, is set for Wednesday, 27 February 1974, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Miller, Cardoza, Garner

HEARING OF POLICE OFFICER PAUL R. CACEK, CITY PRISON

The hearing of Police Officer Paul R. Cacek, City Prison, was called, it having been set for this date. Police Officer Paul R. Cacek was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1:

Under the influence of intoxicating liquor to the extent of not being able to exercise police powers (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department)

in a properly verified complaint by Captain Jeremiah P. Taylor, Captain of Police, Supervising Captain of the San Francisco Police Department.

Police Officer Paul R. Cacek appeared in person and represented himself.

Captain George Eimil, Director of Personnel, appeared as the Prosecutor for the Police Department.

The reading of the Charges were waived.

Police Officer Paul R. Cacek submitted an oral plea of guilty.

The following named witnesses appeared for the Prosecution, were sworn and testified:

Lieutenant Willis A. Casey, Personnel Bureau

Police Officer John Devine, Personnel Bureau

Police Officer Paul R. Cacek, was not sworn, but made a statement in his own behalf.

The Commission took the matter under submission and then recessed from 1801 hours to 1811 hours after which the following resolution was adopted:

RESOLUTION NO. 91-74

DECISION - HEARING OF POLICE OFFICER PAUL R. CACEK, CITY PRISON

WHEREAS, on 4 February 1974, Captain Jeremiah P. Taylor, Captain of Police, Supervising Captain of the San Francisco Police Department, made and served charges against Police Officer Paul R. Cacek, as follows:

SPECIFICATION NO. 1:

a) That on Friday, December 14, 1973, the accused was transported to a recovery facility in Calistoga, pursuant to the recommendation of the Police Surgeon;

b) That on December 18, 1973, the accused became violent at the recovery facility and was transferred to Napa State Hospital;

c) That at the Napa State Hospital the accused was placed in a security ward;

d) That on or about the 20th day of December, the accused left the Napa State Hospital;

e) That on or about December 21, 1973, the accused was returned to the recovery facility at Calistoga;

f) That on or about January 20, 1974, the accused returned to his home;

g) That on or about January 20, 1974, a member of this Department specifically assigned to the Alcoholic Rehabilitation Program had occasion to observe the accused and found his speech was slurred and his conversation incoherent;

h) That on January 22, 1974, the accused attended a luncheon and was so intoxicated at that time that he had to be taken home and helped into his house;

i) That on or about January 23, 1974, the aforesaid member of the Department attempted to take the accused to a rehabilitation meeting and found the accused intoxicated to the extent that he was unable to attend the meeting;

j) That on or about January 24, 1974, the aforesaid specifically assigned member again attempted to take the accused to a rehabilitation meeting and again found the accused in such an intoxicated condition that he was unable to attend the rehabilitation meeting;

k) That on or about January 25, 1974, the aforesaid specifically assigned member again went to the home of the accused and found him intoxicated;

l) Because of the above stated conduct, the accused did violate Section 2.125 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

"Shall not, while on duty, or in uniform, drink any kind of intoxicating liquor or whether on or off duty be under the influence of intoxicating liquor to such an extent that he will not always be prepared to exercise police powers and be entrusted with the performance of police duty in a calm, deliberate and efficient manner."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, 13 February 1974, and that on Wednesday, 13 February 1974, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that said charges made and filed against police Officer Paul R. Cacek, City Prison, as contained in Specification No. 1, are sustained by the evidence presented at the hearing and that Police Officer Paul R. Cacek violated Section 2.125 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Paul R. Cacek has violated Specification No. 1, Section 2.125 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that for said violation, Police Officer Paul R. Cacek, be dismissed from the Department, but is granted a stay of execution on the following conditions:

1. That he be suspended for twelve (12) days without pay, commencing Friday, 1 February 1974, at 1530 hours and terminating Wednesday, 13 February 1974, at 2400 hours; and

2. That Police Officer Paul R. Cacek, participate in the Police Department's Alcoholic Abuse Program; however, if Officer Cacek should fail, at any time, to particiapte in the Alcoholic Abuse Program, the stay of execution of his dismissal from the San Francisco Police Department shall be immediately withdrawn and Police Officer Paul R. Cacek, shall be immediately dismissed from the San Francisco Police Department.

AYES: Commissioners Miller, Cardoza, Garner

(Recess taken in hearing of
Police Officer Paul R. Cacek:
1801 hours to 1811 hours.)

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey McTaggart, C.S.R.)

RESOLUTION NO. 95-74

HEARING OF POLICE OFFICER MICHAEL D. MANLEY, SOUTHEAST POLICE STATION - CONTINUED TO 27 FEBRUARY 1974.

WHEREAS, the hearing of Police Officer Michael D. Manley, Southeast Police Station, was called, it having been set for this date; and

WHEREAS, the Police Commission has received a written request from Mr. William T. Beirne, Attorney at Law, who is representing Police Officer Michael D. Manley, Southeast Police Station, requesting a continuance in this matter; therefore be it

RESOLVED, that the Police Commission on the request of Mr. William T. Beirne, Attorney at Law, does hereby continue the hearing on the charges filed against Police Officer Michael D. Manley, Southeast Police Station, to Wednesday, 27 February 1974, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 96-74

HEARING OF POLICE OFFICER RANDALL THORNE, SOUTHEAST POLICE STATION - CONTINUED TO 27 FEBRUARY 1974.

WHEREAS, the hearing of Police Officer Randall Thorne, Southeast Police Station, was called, it having been set for this date; and

WHEREAS, the Police Commission has received a written request from Mr. William T. Beirne, Attorney at Law, who is representing Police Officer Randall Thorne, Southeast Police Station, requesting a continuance in this matter; therefore be it

RESOLVED, that the Police Commission on the request of Mr. William T. Beirne, Attorney at Law, does hereby continue the hearing on the charges filed against Police Officer Randall Thorne, Southeast Police Station to Wednesday, 27 February 1974, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Miller, Cardoza, Garner

RESOLUTION NO. 97-74

HEARING OF POLICE OFFICER RICHARD P. WALLETT, INGLESIDE POLICE STATION - CONTINUED TO 27 FEBRUARY 1974.

WHEREAS, the hearing of Police Officer Richard P. Wallett, Ingleside Police Station, was called, it having been set for this date; and

WHEREAS, the Police Commission has received a written request from Mr. William T. Beirne, Attorney at Law, who is representing Police Officer Richard P. Wallett, Ingleside Police Station, requesting a continuance in this matter; therefore be it

RESOLVED, that the Police Commission on the request of Mr. William T. Beirne, Attorney at Law, does hereby continue the hearing on the charges filed against Police Officer Richard P. Wallett, Ingleside Police Station, to Wednesday, 27 February 1974, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Miller, Cardoza, Garner

WEDNESDAY, 13 FEBRUARY 1974 P.M. SESSION

PRESIDENT GARNER: I'd like to make one more statement.

From all the evidence -- and I think it's all true, as much as I hate it and as much as I'm sure everyone else in this room hates it -- this is the last Commission meeting for Commissioner Miller. We all are going to regret seeing him leave, but more pressing business makes him think that he has to resign, and he did resign.

So, we all wish him very good luck.

We're going to miss you.

COMMISSIONER MILLER: Thank you, Doctor. Thank you very kindly.

DEPUTY CHIEF KEAYS: Mr. President, I'm sure if the Chief were here that he would say some very profound things in regard to his respect and his regard for Mr. Miller, and I would like to say for all the men and women of the Police Department that I'm sure that we all think that you are just a very fine Commissioner, a very great person; and not that we tried to pull anything over you, but I don't think we got away with anything even unintentionally, because you're such a sharp cookie.

I really regret your going, Mr. Miller, and as I said to you last week, you'll always be "Commissioner" to me, and I'm sure to all of us here.

PRESIDENT GARNER: Thank you.

(Applause)

PRESIDENT GARNER: Would Captain Barca like to say something?

COMMISSIONER MILLER: He's the senior Captain. I outrank him for two more days.

CHIEF BARCA: You see how fast people forget. Deputy Chief Keays referred to you as "Mr." Miller.

DEPUTY CHIEF KEAYS: But I said he'll always be "Commissioner." I caught myself.

COMMISSIONER MILLER: I thank you, Chief, for your kind comments, and yours, Doctor. I have very mixed emotions about this act, but as I think I've told you, I've been here five years. You're going on your seventh year; I don't know how you do it.

PRESIDENT GARNER: I'm resigning very shortly.

COMMISSIONER MILLER: But I've enjoyed knowing each and every one of you, and you can be confident that you have an admirer in me of each and every one of you personally and the force as a whole. It's been a very happy association. And if you ever need help in anything, you know where to call; I'll be down at the PG&E for a while.

COMMISSIONER CARDOZA; I'd like to join in the tribute and suggest that we all stand and give him a round of applause.

(Applause)

(Whereupon, at the hour of 1820 P.m., the proceedings were adjourned.)

SECRETARY

2/27/74

DOCUMENTS
MAR 5 1974
SAN FRANCISCO PUBLIC LIBRARY

27 FEBRUARY 1974 Minutes REGULAR MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, 27 February 1974, at 1730 hours.

PRESENT: Commissioners Cardoza, Garner

Commissioner Garner presiding.

The members of the Commission, having been furnished with copies of the minutes of the meeting of 13 February 1974, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Cardoza, Garner

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved.

6001 CALIFORNIA STREET - SUPER K MARKET

a) At 6001 California Street, install a 30' yellow zone, to extend from 5' - 35' west of 22nd Avenue.

288 NOE STREET - DAGMAR BENGTSON, INC.

a) At 288 Noe Street, install a 36' yellow zone, to extend from 33' - 69' north of Market Street.

1450 VAN NESS AVENUE - NIKKO SUKIYAKO RESTAURANT

a) At 1450 Van Ness Avenue, install a 22' white zone, to extend from 33' - 55' south of Pine Street.

b) Permission to cover parking meter VAN-1428 between the hours of 5 P.M. - 2 A.M. on days when the restaurant is open.

c) Permission to display portable No Parking signs in conjunction with this white zone.

1500 VAN NESS AVENUE AND 1546 PINE STREET - HOLIDAY INN

a) At 1500 Van Ness Avenue, install a 22' white zone,

to extend from 96' - 118' north of Pine Street.

b) Permission to display portable No Parking signs in conjunction with this white zone.

c) At 1500 Van Ness Avenue, install 7' red, south of the 2nd drive.

d) At 1500 Van Ness Avenue, install 24' red, to extend from 150' - 174' north of Pine.

e) At 1500 Van Ness Avenue, install 6' red, north of north driveway.

f) At approximately 1546 Pine Street, install 12' red, west of the drive, and 2' red east of the drive.

MARKET STREET, NORTH AND SOUTH SIDES - VARIOUS

a) Market Street, between The Embarcadero and Gough Street, install Special Truck Loading Zones in all the parking bays.

1699 QUESADA AVENUE - BIG SAVE MARKET

a) At 1699 Quesada Avenue, permission be granted to display portable "No Parking" signs, to control 20' of curbing, extending from 100' - 120' east of 3rd Street. (This, tog ether with a dropped curb will provide the curb space necessary for trucks.)

98 TEHAMA STREET - GRAPHICS & SYSTEMS CO.

a) At 98 Tehama Street, revoke the existing 27' yellow zone.

b) At 98 Tehama Street, install a 67' yellow zone, to extend from 9' - 76' east of 2nd Street.

AYES: Commissioners Cardoza, Garner

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 249 feet of yellow, green, red and white zones

at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Cardoza, Garner

PERMISSION TO TAKE LEAVES OF ABSENCE - APPROVED

The requests of the following named members of the Department for permission to take Leaves of Absence were approved:

MILITARY LEAVES - WITH PAY:

a) Sergeant Lawrence C. MacKenzie, Traffic Bureau (AIB), for two days, 9 and 10 February 1974.

b) Police Officer Bruce W. Bushner, Southeast Station, for two days, 23 and 24 February 1974.

c) Police Officer Anthony J. Camilleri, Jr., Park Station, for two days, 9 and 10 February 1974.

d) Police Officer Richard A. Campbell, Southern Station, for two days, 9 and 10 February 1974.

e) Police Officer Croce A. Casciato, Central Station, for four days, 23 and 24 February 1974, and 16 and 17 March 1974.

f) Police Officer Michael D. Chan, Northern Station, for two days, 23 and 24 February 1974.

g) Police Officer John J. Comisky, Crime Prevention Company, for thirteen days, 24 February 1974 to 8 March 1974, inclusive.

h) Police Officer Robert L. Derby, Mission Station, for two days, 9 and 10 February 1974.

i) Police Officer Dennis W. Dillard, Southern Station, for two days, 23 and 24 February 1974.

j) Police Officer Robert K. Fife, Crime Prevention Company, for thirteen days, 24 February 1974 to 8 March 1974, inclusive.

k) Police Officer Robert A. Fitzer, Park Station, for two days, 23 and 24 February 1974.

l) Police Officer Michael M. Folena, Central Station, for two days, 23 and 24 February 1974.

m) Police Officer Timothy E. Gibson, Southern Station, for two days, 9 and 10 February 1974.

n) Police Officer James F. Hennessy, Crime Prevention Company, for two days, 9 and 10 February 1974.

o) Police Officer Douglas W. Hosea, Crime Prevention Company, for nine days, 9 and 10 February 1974, and 24 February 1974 to 2 March 1974, inclusive.

p) Police Officer Richard M. Huddleston, Richmond Station, for two days, 9 and 10 February 1974.

q) Police Officer Charles J. Keohane, Mission Station, for two days, 2 and 3 February 1974.

r) Police Officer Raymond D. Kilroy, Northern Station, for two days, 9 and 10 February 1974.

s) Police Officer Albert N. Maracci, Jr., Traffic Bureau-Solo, for thirteen days, 24 February 1974 to 8 March 1974, inclusive.

t) Police Officer Stephen A. Mattoon, Park Station, for two days, 9 and 10 February 1974.

u) Police Officer George B. Mitroff, Traffic Bureau(AIB), for ten days, 9 and 10 February 1974, 9 and 10 March 1974, 27 and 28 April 1974, 11 and 12 May 1974, and 8 and 9 June 1974.

v) Police Officer Jody J. Moroschok, Park Station, for two days, 23 and 24 February 1974.

w) Police Officer Michael F. Moysard, Crime Prevention Company, for two days, 9 and 10 February 1974.

x) Police Officer John E. Newlin, Traffic Bureau (E&I), for two days, 23 and 24 February 1974.

y) Police Officer Michael D. Nowlin, Taraval Station, for two days, 9 and 10 February 1974.

z) Police Officer Craig S. Piro, Crime Prevention Company, for twelve days, 4 February 1974 to 15 February 1974, inclusive.

aa) Police Officer Anthony Rodriguez, Ingleside Station, for two days, 9 and 10 February 1974.

bb) Police Officer Richard G. Sheehan, Central Station, for one day, 23 February 1974.

cc) Police Officer James L. Stokes, Mission Station, for two days, 9 and 10 February 1974.

dd) Police Officer Robert G. Sudano, Ingleside Station, for one day, 2 February 1974.

ee) Police Officer John E. Tursi, Southeast Station, for four days, 9 and 10 February 1974, and 2 and 3 March 1974.

ff) Police Officer Gregory W. Winters, Southeast Station, for two days, 23 and 24 February 1974.

gg) Station Officer Stanley H. Gabara, Bureau of Criminal Information, for two days, 9 and 10 February 1974.

AYES: Commissioners Cardoza, Garner

RETIREMENTS:

Communications were received from the Retirement Board officiially notifying the Police Commission of the retirement of the following named members of the Police Department:

a) Inspector Willam Denser, Bureau of Inspectors, for service, effective 8 February 1974.

b) Inspector Milton R. Piro, Bureau of Special Services, for Industrial Disability, effective 14 February 1974.

c) Police Officer Rex Oberg, Communications, for Industrial Disability, effective 14 November 1973.

d) Police Officer Paul E. Craib, Traffic Administration, for service, effective 19 January 1974.

e) Police Officer Daniel A. Driscoll, Richmond Station, for Industrial Disability, effective 10 October 1973.

The communications were ordered filed.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 98-74

SERGE GOLOVIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Serge Golovin against the City and County of San Francisco in the sum of $25.00 as the result of lost property which occurred at the front door of the Hall of Justice, be, and the same is hereby approved.

Date of Incident: December 3, 1973

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 99-74

CIVIL SERVICE EMPLOYEES INSURANCE COMPANY AND ITS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Civil Service Employees Insurance Company in the sum of $281.36 in Municipal Court Action No. 692-261 entitled, "Civil Service Employees Insurance Company v. City and County of San Francisco, et al," as the result of a collision with a police vehicle, be, and the same is hereby approved

Date of Accident: December 4, 1972

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 100-74

OLLIE RANSOM AND HOWARD RANSOM

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Ollie Ransom and Howard Ransom in the sum of $776.00 in Superior Court Action No. 619-775 entitled, "Ollie Ransom and Howard Ransom v. City and County of San Francisco, et al," as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: December 28, 1969

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 101-74

CLAUDIA GODBY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Claudia Godby against the City and County of San Francisco in the sum of $12.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 11, 1973.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 102-74

CONSTANCE KING

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Constance King against the City and County of San Francisco in the sum of $15.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 2, 1973.

AYES: Commissioners Cardoza, Garner

TRANSFER OF JITNEY BUS PERMIT - APPROVED

The matter of the transfer of the right to operate a jitney bus by the following named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. The transferor and thransferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title, or interest that the within-named transferor might have to operate a jitney bus to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code.

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
David Oretski 3002 Bona Street Oakland, California	Ashok K. Shankar 304 Forrest View Drive So. San Francisco, Calif.	1

AYES: Commissioners Cardoza, Garner

TRANSFER OF JITNEY BUS PERMIT - CONTINUED ONE WEEK

The matter of the transfer of the right to operate a jitney bus by the following named person was called for hearing, it having been set for this date. Mr. Murray Frohman, acting under a Power of Attorney for transferor Lewis S. Honig, and the transferee appeared in person and were not represented by counsel. This matter having been continued from 17 October 1973.

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
Lewis S. Honig 5 Stonypoint Place San Mateo, Calif.	Jerome Bergman 2430 Benedict Canyon Drive Beverly Hills, California	1

The Commission requested an examination of the signatures of Lewis S. Honig on the Power of Attorney document in the possession of Mr. Murray Frohman. Once signatures are compared and designated as valid, the matter will be put on the Police Commission Calendar for final approval.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 103-74

POLICE CONTINGENT FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Donald M. Scott in the sum of $3,750.00 charging same to Appropriation No. 3.161.890.000 to cover Contingent Fund disbursements for the month of March 1974.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 104-74

POLICE NARCOTIC FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Donald M. Scott in the sum of $4,166.00 charging same to Appropriation No. 3.161.890.050 to cover Narcotic Fund disbursements for the month of March, 1974.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 105-74

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by

the following named member of the Police Department for expenses incurred in attending the below indicated program; said expenses having been approved by the Chief of Police, be, and the same are hereby approved:

Captain Mortimer F. McInerney, Captain of Inspectors, Bureau of Inspectors	$724.05	(International Association (of Chiefs of Police Labor (Relations Workshop at (Orlando, Florida, From 25 (November 1973 to 30 (November 1973.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 106-74

REQUEST TO RELEASE UNALLOTTED FUNDS

RESOLVED, that the Controller be, and he is hereby requested to release unallotted funds in the amount of $104,364.86 from Appropriation No. 3.161.998.029.120 (Police Narcotics and Dangerous Drugs Abatement and Training Project) to release additional funds for the San Francisco Police Narcotics and Dangerous Drugs Abatement and Training Project - Overtime Account, to pay for payrolls being processed by the Controller's Office.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 107-74

REQUEST TO RELEASE ADDITIONAL ALLOTMENTS

RESOLVED, that the Controller be, and he is hereby requested to release an additional allotment in the following amounts for Contractual Services, Materials and Supplies, and Community Relations Miscellaneous Expenses:

a) $67,252 from Appropriation No. 3.161.200.000.000(Contractual Services)

b) $ 6,682 from Appropriation No. 3.161.300.000.000(Materials and Supplies)

c) $ 1,667 from Appropriation No. 3.161.958.000.000(Community Relations Miscellaneous Expenses)

to continue the normal operations of the Police Department.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 108-74

SERGEANT GERALD G. DOANE, POLICE ACADEMY

RESOLVED, that Sergeant Gerald G. Doane, Police Academy, be, and he is hereby authorized to attend a course at the FBI National Academy, Quantico, Virginia, from 18 March 1974 to 22 March 1974, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant Gerald G. Doane, Police Academy, in attending the course are to be paid by the Federal Bureau of Investigation.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 109-74

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY (JITNEY BUS PERMIT)- HEARING TO REVOKE - CONTINUED OFF CALENDAR FOR NINETY DAYS (90)

WHEREAS, there was granted to Edward Bencivenga on 14 March 1960, a permit and/or license for the operation of one (1) jitney bus; and

WHEREAS, pursuant to an investigation conducted by the Vehicle Inspection Detail of the San Francisco Police Department, the Chief of Police was advised that Edward Bencivenga was not operating his jitney bus and had not so operated said vehicle for a period in excess of ten (10) consecutive days and was, therefore, in violation of the provisions of Section 1079 of the Police Code; and

WHEREAS, Edward Bencivenga appeared before the Police Commission on Wednesday, 27 February 1974, and was represented by Mr. James Hatter, Public Relations Representative for the Jitney Owners Association, who requested that he be allowed an extension of ninety days (90) to locate a driver to operate his jitney bus permit; and

WHEREAS, the Police Commission feels that an extension of ninety (90) days would be sufficient time to allow Mr. Bencivenga to locate a driver to operate his jitney bus permit; therefore be it

RESOLVED, that the request of Mr. Bencivenga for an extension of ninety (90) days to locate a driver to operate his jitney bus permit, be, and the same is hereby approved.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 110-74

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY (JITNEY BUS PERMIT) - HEARING TO REVOKE - CONTINUED OFF CALENDAR FOR NINETY DAYS (90)

WHEREAS, there was granted to George Lee on 25 April 1966, a permit and/or license for the operation of one (1) jitney bus; and

WHEREAS, pursuant to an investigation conducted by the Vehicle Inspection Detail of the San Francisco Police Department, the Chief of Police was advised that George Lee was not operating his jitney bus and had not so operated said vehicle for a period in excess of ten (10) consecutive days and was, therefore, in violation of the provisions of Section 1079 of the Police Code; and

WHEREAS, George Lee appeared before the Police Commission on Wednesday, 27 February 1974, and was represented by Mr. James Hatter, Public Relations Representative for the Jitney Owners Association, who requested that he be allowed an extension of ninety (90) days to locate a driver to operate his jitney bus permit; and

WHEREAS, the Police Commission feels that an extension of ninety (90) days would be sufficient time to allow Mr. Lee to locate a driver to operate his jitney bus permit; therefore be it

RESOLVED, that the request of Mr. Lee for an extension of ninety (90) days to locate a driver to operate his jitney bus permit, be, and the same is hereby approved.

AYES: Commissioners Cardoza, Garner

CALIFORNIA PEACE OFFICERS' TRAINING FUND

Chief of Police Donald M. Scott officially notified the Police Commission of the receipt by the San Francisco Police Department of a check in the amount of $3,421.12 from the California Peace Officers' Training Fund as the Police Department's reimbursement from this fund for the training of newly appointed police officers and in-service training of officers of the Department covering first quarter apportionment for the Fiscal Year 1973/74.

The Police Commission acknowledged receipt of the check by the San Francisco Police Department, and ordered that it be forwarded to the Controller for deposit in accordance with the Provisions of Chapter 10, Section 10.117.3 of the Administrative Code of the City and County of San Francisco.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 111-74

PERMISSION TO APPLY FOR AND ACCEPT A GRANT OF FUNDS FROM THE CALIFORNIA COUNCIL ON CRIMINAL JUSTICE.

RESOLVED, that the Police Commission does hereby authorize the San Francisco Police Department to submit an application for and accept a grant of funds from the California Council on Criminal Justice as follows:

$200,000 - For the purpose of providing funds to implement a Robbery Abatement Mobilization Program.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 112-74

PERMISSION REQUESTED TO ACTIVATE TWO LIMOUSINE PERMITS - GRANTED

WHEREAS, at the Police Commission Meeting held on Monday, 24 November 1969, William Brody, was issued four (4) Certificates of Public Convenience and Necessity for the operation of limousines; and

WHEREAS, Mr. William Brody immediately activated two (2) Certificates of Public Convenience and Necessity and asked for an extension of time to activate the remaining two; and

WHEREAS, the Police Commission granted several extensions of time to Mr. William Brody to activate the remaining two (2) Certificates of Public Convenience until at its meeting of August 8, 1971, the matter was continued off calendar for an indefinite period; and

WHEREAS, Mr. William Brody represented by Mr. William Clecak, Attorney at Law, appeared before the Police Commission on February 27, 1974, and presented reasons as to the delay in activating the remaining Certificates of Public Convenience and Necessity, and was now requesting permission to activate them; therefore be it

RESOLVED, that the request of Mr. William Clecak, Attorney at Law, representing Mr. William Brody, to activate the remaining two (2) Certificates of Public Convenience and Necessity for the operation of limousines, be, and the same is hereby approved.

AYES: Commissioners Cardoza, Garner

MR. HERBERT ZIESCH, HAYES VALLEY COMMUNITY ASSOCIATION

Mr. Herbert Ziesch, Hayes Valley Community Association, appeared before the Police Commission and read the following:

"PRESS RELEASE WEDNESDAY, FEBRUARY 27, 1974
5:30 P.M. POLICE COMMISSION HEARING

OPEN LETTER FROM STRUGGLING COMMUNITY

MY NAME IS HERBERT ZIESCH. I AM CHAIRMAN OF THE HAYES VALLEY COMMUNITY ASSOCIATION AND A MEMBER OF THE EXECUTIVE BOARD OF THE POLICE COMMUNITY RELATIONS COMMITTEE. I ALSO LIVE IN THE HAYES VALLEY AND AM A SMALL BUSINESSMAN.

WE ARE HERE TODAY TO PRESENT OUR AIMS AND GOALS OF THE HAYES VALLEY AND TO ASK FOR ASSISTANCE TO "SET THE WHEELS IN MOTION" FOR: 1) IMPROVED COMMUNITY RELATIONS; 2) SUFFICIENT LAW ENFORCEMENT; 3) CODE ENFORCEMENT; 4) BEAUTIFICATION OF AREA AND CITY.

WE ARE INTERESTED IN AREA SAFETY THROUGH LAW ENFORCEMENT OF THE AREA FRANKLIN TO WEBSTER AND FULTON TO FELL STREETS. WE ARE AT THE EDGE OF REDEVELOPMENT AREA WESTERN ADDITION #2.

1) PROSTITUTES AND PIMPS BRING NARCOTICS IN OUR AREA. PROSTITUTES AND PIMPS ROAM THE AREA DAY AND NIGHT. 2) ADJOINING REDEVELOPMENT HAS BROUGHT PROBLEMS TO OUR AREA. 3) PERMITS ARE ISSUED EASILY, EVEN IN CODE VIOLATED BUILDINGS. EXAMPLE: A BAR ON OCTAVIA; A BAR ON HAYES RECEIVED DANCE AND ENTERTAINMENT PERMIT RECENTLY. 4) COMMERCIAL DISTRICT REHABILITATION NEEDED. OVER TEN EMPTY STORES OVER A YEAR EMPTY IN THE 500 BLOCK OF HAYES. SAFEWAY, DRUG STORE, AND OTHER STORES HAVE ABANDONED THE AREA. OVER 25 EMPTY STORES IN AREA. HUNDREDS OF EMPTY APARTMENTS. ENTIRE APARTMENT HOUSES ARE EMPTY. 5) HOUSING REHABILITATION NEEDED WITH ASSISTANCE PROGRAMS. WE ARE CONSIDERED NOT ELIGIBLE FOR F.A.C.E. (AREA TOO RUN-DOWN) AND HAVE NO REDEVELOPMENT PROGRAM (NOT IN WESTERN ADDITION #2 REDEVELOPMENT). 6) LAW ENFORCEMENT - IT IS LAW ENFORCEMENT THAT TOUCHES OFF THE MAJORITY OF PROTESTS FROM NARCOTICS AND PROSTITUTION

FRONTS, WHO WANT CONTROL OF POLICE IN THE DISTRICT: STRICT ENFORCEMENT OF PRESENT CODE IS NEEDED. (A) CAREFUL LAW ENFORCEMENT WITHIN THE LIMITS OF CONSTITUTIONAL RIGHTS. (B) INCREASING PROFICIENCY IN POLICE CONDUCT. (C) DEVELOPMENT OF POLICE RAPPORT WITH THE COMMUNITY. (D) SOCIAL ACTION IN THE COMMUNITY. (E) ALL OFFICIAL AGENCIES NEED TO WORK WITH THE COMMUNITY TO RESTORE THE ORIGINAL COMMUNITY ATMOSPHERE. (F) BEAUTIFICATION PROGRAM IS NEEDED - PLANTING OF TREES ON HAYES STREET. (G) THE PROBLEMS OF TRAFFIC NOISE, OPEN PROSTITUTION AND NATCOTICS MUST BE DEALT WITH BY THE POLICE DEPARTMENT TO BRING BACK THE MERCHANTS AND TENANTS WHO HAVE FLED THE AREA. (H) INSURANCE RATES TO SOME OWNERS HAVE INCREASED FOUR TIMES. OWNERS ARE LUCKY IF THEY CAN GET "CALIFORNIA STREET FAIR PLAN" ON A YEARLY BASIS, AND ONE NEEDS TO MEET THE CODE TO BE ELIGIBLE.

OWNERS ARE CONSTANTLY SITTING ON PINS AND NEEDLES. CRIME, NEGLECT AND DECAY HAVE ALMOST RUINED THE AREA. BARS ARE FRONTS FOR ILLEGAL ACTIVITIES IN THE AREA. TENANTS HAVE VACATED DUE TO HIGH RISING CRIME. APARTMENT OWNERS HAVE ABANDONED APARTMENT HOUSES DUE TO FEAR AND AREA IS A HIGH CRIME AREA. BUSINESS IS NO LONGER INVESTING IN THE AREA. NO NEW PERMITS SHOULD BE ISSUED TO BARS IN A PROBLEM AND DETERIORATING AREA. WHEN PROSTITUTES ARE SOLICITING AND ROAMING THE STREETS, IT IS THOUGHT BY THE PEOPLE THAT THERE IS POLICE INVOLVEMENT AND PAYOFF. WHY AT PERMIT HEARINGS DO POLICE ACT AS ATTORNEYS FOR THEIR FAVORITES OR TAKE SIDES DURING THE HEARINGS?

PROSTITUTION AND RELATED CRIME SHOULD NOT BE LEFT UNCHECKED IN ANY NEIGHBORHOOD, IT AFFECTS OTHER NEIGHBORHOODS. WHY WAS A BAR ON HAYES STREET OPERATING WITH DANCING AND ENTERTAINMENT FOR 8 YEARS WITHOUT A PERMIT? ONE ONLY HAS TO DRIVE DOWN HAYES OR OCTAVIA STREET, SAN FRANCISCO, TO SEE THE PROSTITUTES AND PIMPS, DOPE ADDICTS, NARCOTIC PEDDLERS AND GAMBLERS STANDING ON THE SIDEWALKS.

WE HAVE OUR HOMES, THE FUTURE OF OUR CHILDREN AND STRUGGLING SMALL BUSINESSES AT STAKE. THOSE WHO FLAUNT THE LAW SHOULDN'T BE ALLOWED TO RAPE THE COMMUNITY OF THEIR INVESTMENTS. BUILDINGS

(OVER TWENTY-FIVE STORES, MANY APARTMENT HOUSES) ARE EMPTY AND VACANT BECAUSE OR DUE TO THE FACT THAT BUSINESSES (SAFEWAY, BANK OF AMERICA, DRUG STORE, HARDWARE, 5 & 10 ¢ STORE, ETC.) AND FAMILIES HAVE FLED THE AREA DUE TO CRIME, AND THE INADEQUATE AND UNCONCERNED LAW ENFORCEMENT IS HAPPENING AT A STONE'S THROW FROM SAN FRANCISCO CITY HALL AND OPERA HOUSE.

(1) WALKING-BEAT, POLICE FOOT PATROL NEED TO BE SEEN AND MORE INTERESTED IN THE CONCERNS AND WELFARE OF THE COMMUNITY. POLICE SHOULD LIVE IN THE CITY AND AREA SO THAT THEY WOULD BE BETTER INFORMED OF THE CONDITIONS.

(2) JUDGES AND COURTS ARE MUCH TOO LENIENT WITH THE CRIMINALS (PROTECTING THE CRIMINAL INSTEAD OF THE INNOCENT PERSON). MORE STRICTER ENFORCEMENT OF LAW IS NEEDED ON SO-CALLED NON-VICTIMLESS CRIME, ESPECIALLY PROSTITUTION AND ITS RELATED CRIME.

(3) THE SAN FRANCISCO POLICE DEPARTMENT NEED TO GET OUT OF POLITICS. HEARINGS ON PERMITS AND BOARD OF PERMITS APPEALS BOARD ARE FOOLISH, RIDICULOUS, AND A WASTE OF TIME AND MONEY. INDEPENDENT OFFICIAL AGENCY OUTSIDE OF THE POLICE DEPARTMENT AND APPOINTEES OF THE MAYOR SHOULD NOT HOLD THE HEARINGS. THE POLICE SHOULD BE PUT OUT ON THE STREETS TO PROTECT THE CITIZENS.

(4) NO BARS SHOULD BE GIVEN PERMITS IN A DETERIORATING AND PROBLEM AREA. THE ALCOHOL BEVERAGE CONTROL HAS NO BLACK UNDERCOVER AGENTS AVAILABLE IN SAN FRANCISCO TO SURVEY THE BARS. WHITE UNDERCOVER AGENTS, DUE TO DANGER AND HARASSMENT, WILL NOT ENTER A PROBLEM BLACK BAR. THE SAN FRANCISCO POLICE DEPARTMENT SHOULD COOPERATE MORE CLOSELY WITH THE ALCOHOL BEVERAGE CONTROL AND SEND ALL POLICE REPORTS, AND INCIDENTS IN BARS AND TAVERNS TO THE DEPARTMENT OF ALCOHOL BEVERAGE CONTROL.

IN MEETING THE PROBLEMS OF DRUG, PROSTITUTION, THEFT AND OTHER VIOLENT CRIME IN THE HAYES VALLEY AREA--THIS MATTER WAS HEARD BEFORE THE FIRE, SAFETY AND POLICE COMMITTEE OF THE BOARD OF SUPERVISORS ON JANUARY 10, 1974. THE COMMUNITY FEELS A GREAT DEAL OF FRUSTRATION BECAUSE CRIME IS RAMPANT IN THAT AREA OF SAN FRANCISCO, AND, IS

DRAMATICALLY AFFECTING PROPERTY VALUES. PEOPLE ARE LEAVING THE AREA RAPIDLY. THE LATEST HAS BEEN HOWARD JENSEN, ASSISTANT CLERK OF THE BOARD OF SUPERVISORS, WHOSE HOME ON GROVE STREET HAS BEEN BURGLARIZED REPEATEDLY.

IT IS OUR HOPE THE POLICE COMMISSION WILL HOPEFULLY WORK OUT A STRATAGEM FOR THE KIND OF PREVENTATIVE LAW ENFORCEMENT WHICH WILL ONCE AGAIN STABILIZE THIS NEIGHBORHOOD.

HEARING ON CRIME WILL BE HELD AT THE COMMUNITY SERVICES COMMITTEE OF THE BOARD OF SUPERVISORS ON MARCH 8 WITH SUPERVISOR ALFRED J. NELDER, CHAIRMAN."

He then introduced Mr. Robert Richards, who stated that he was a liason between the members of the Police Department in that neighborhood and the Hayes Valley Community Association. He spoke of many of the same issues raised by Mr. Ziesch and pointed out the fact that the Police Department has issued a permit to a party who had just purchased a bar in the neighborhood and which their association was against.

Captain Jeremiah P. Taylor stated that the Police Department was cooperating in every way possible with the people from the Hayes Valley Community Association. He stated that many arrest were made in the area for all types of crimes. He further stated that there are many persons who stand on the corners and sidewalks, but unless they have committed some type of crime, cannot be rousted or hassled by the police.

Chief Scott then stated that Captain Taylor and Captain Flynn, Commanding Officer of Northern Station, would continue to work in this area and cooperate with the Hayes Valley Community Association in an attempt to do whatever possible to alleviate their current problems.

AYES: Commissioners Cardoza, Garner

MINORITY RECRUITMENT PROGRAM

Police Officer Troy Dangerfield, appeared before the Police Commission and submitted a highly favorable report on the progress of the Minority Recruitment Program. He stated that one class of recruits has already graduated from the program and were now waiting for the City to give the Q2 Police exam for which they have been prepared. Officer Dangerfield also introduced Inspector Herbert Lee, Police Officer James Norman and Police Officer Fred Lau. Inspector Lee and Officer Norman spoke of their relationship with the program and feel that through the efforts of the program, more minorities than ever before will take, qualify, and become Q2 Police Officers.

AYES: Commissioners Cardoza, Garner

WEEKLY SICK REPORT

Chief of Police, Donald M. Scott, submitted a report of members of the Department off duty due to sickness and disability for the week ending Saturday, 23 February 1974, at 2400 hours, as follows:

Daily average for the week, sick	41	
Daily average for the week, disabled	43	
TOTAL		84
Daily percentage for the week, sick	2.07	
Daily percentage for the week, disabled	2.28	
TOTAL		4.35

The report was ordered filed.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 113-74

POLICE OFFICER DANIEL A. DRISCOLL, RICHMOND POLICE STATION

WHEREAS, on Monday, 3 December 1973 at 0800 hours, Donald M. Scott, Chief of Police, San Francisco Police Department, suspended from duty without pay, Police Officer Daniel A. Driscoll, Richmond Police Station, pending hearing before the Police Commission on charges to be filed against him, and

WHEREAS, on 10 December 1973, Clement D. DeAmicis, Captain of Police, Commanding Officer of the Richmond Police Station, made and served charges against Police Officer Daniel A. Driscoll, reading as follows:

SPECIFICATION NO. 1 - SECTION 2.13

Driving while under the influence of intoxicating liquor.

SPECIFICATION NO. 2 - SECTION 2.13

Attempted escape from custody of police officers.

SPECIFICATION NO. 3 - SECTION 2.13

Having an open container of liquor in automobile.

and

WHEREAS, the Police Commission set Wednesday, 27 February 1974, as the date for the hearing on charges filed against Police Officer Daniel A. Driscoll; and

WHEREAS, Chief of Police Donald M. Scott, announced that the Police Department was in receipt of a letter from the Retirement Board; said letter stated that at its meeting of 20 February 1974, the Retirement Board granted Police Officer Daniel A. Driscoll, industrial disability retirement effective 10 October 1973; therefore be it

RESOLVED, that the charges of violating the Rules and Procedures of the San Francisco Police Department filed against Police Officer Daniel A. Driscoll, be, and the same are hereby continued off calendar.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 114-74

HEARING OF POLICE OFFICER PERCY E. COOKSEY, BUREAU OF SPECIAL SERVICES

WHEREAS, the hearing of Police Officer Percy E. Cooksey, Bureau of Special Services, was called, it having been set for this date; and

WHEREAS, Mr. Atklin G. Brown, attorney for Police Officer Percy E. Cooksey, Bureau of Special Services, has requested that a date for the hearing be set after the criminal proceedings have been disposed of in this matter; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Percy E. Cooksey, is set for Wednesday, 3 April, 1974, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Cardoza, Garner

HEARING OF POLICE OFFICER RANDALL G. THORNE, SOUTHEAST POLICE STATION

The matter of the hearing of Police Officer Randall G. Thorne, Southeast Police Station, was called, it having been set for this date. Police Officer Randall G. Thorne was charged with violating the Rules and Procedures of the San Francisco Police Department as follows:

SPECIFICATION NO. 1:

Failure to maintain weight requirements (Violation of Section 2.36 of the Rules and Procedures of the San Francisco Police Department)

in a properly verified complaint by Captain J. William Conroy, Commanding Officer of Southeast Police Station.

Police Officer Randall G. Thorne appeared in person and was represented by Mr. William T. Beirne, Attorney at Law.

Mr. William T. Beirne, in behalf of Police Officer Randall G. Thorne, entered a verbal plea of not guilty.

Captain Mortimer F. McInerney, Captain of the Bureau of Inspectors, appeared as Prosecutor for the Police Department.

The following named witnesses appeared for the Prosecution, were sworn and testified:

Police Officer Joseph C. Mollo, Police Academy

Lieutenant Willis A. Casey, Police Academy

Dr. Norman Steiner, Police Surgeon

The following named witness appeared for the Defense, was sworn and testified:

Police Officer Randall G. Thorne, Southeast Police Station

The following exhibits were introduced into Evidence by the Prosecution:

Exhibit No. 1 - Intra-Departmental Memorandum, dated Friday, June 1, 1973, to Captain George Eimil from Lieutenant Willis A. Casey, Re: "Fitness Standards-Department Rule 2.36, signed and agreed to by Officer Randall G. Thorne.

Exhibit No. 4 - Letter dated February 8, 1974, to Captain George Eimil, Director of Personnel, from Norman Steiner, M.D., Police Surgeon, Re: Overweight Officers: Randall G. Thorne, Michael Manley and Richard P. Wallett, Re: Physical fitness examinations as of February 5, and 7, 1974.

The following exhibit was introduced into Evidence by the Defense:

Exhibit No.A. - Newspaper Item by Birney Jarvis, entitled "New Cops Will Have To Shape Up", dated Tuesday, March 10,1970.

The following named witness was then called by the Defense, was sworn and testified:

Captain George Eimil, Director of Personnel.

Captain Mortimer F. McInerney, Captain of Inspectors, presented oral argument on behalf of the Prosecution.

Mr. William T. Beirne, Attorney at Law, presented oral argument on behalf of the Defense.

The Commission took the matter under submission at 2018 hours and will render a decision at a later date.

Recess taken in the Hearing of Police Officer Randall G. Thorne:
1933 hours to 1947 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter, Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Cardoza, Garner

HEARING OF POLICE OFFICER MICHAEL MANLEY, SOUTHEAST POLICE STATION

The matter of the hearing of Police Officer Michael Manley, Southeast Police Station, was called, it having been set for this date. Police Officer Michael Manley, was charged with violating the Rules and Procedures of the San Francisco Police Department, as follows:

SPECIFICATION NO. 1

Failure to maintain weight requirements (Violation of Section 2.36 of the Rules and Procedures of the San Francisco Police Department)

in a properly verified complaint by Captain J. William Conroy, Commanding Officer of Southeast Police Station.

Police Officer Michael Manley, appeared in person and was represented by Mr. William T. Beirne, Attorney at Law.

Mr. William T. Beirne, in behalf of Police Officer Michael Manley, entered a verbal plea of not guilty.

Captain Mortimer F. McInerney, Captain of the Bureau of Inspectors, appeared as Prosecutor for the Police Department.

The following named witnesses appeared for the Prosecution, were sworn and testified:

Police Officer Joseph C. Mollo, Police Academy

Lieutenant Willis A. Casey, Police Academy

Dr. Norman Steiner, Police Surgeon

The following named witness appeared for the Defense, was sworn and testified:

Police Officer Michael Manley, Southeast Police Station.

The following exhibits were introduced into Evidence by the Prosecution:

Exhibit No. 3 - Intra-Departmental Memorandum, dated Tuesday, June 18, 1973, to Captain George Eimil, from Lieutenant Willis A. Casey, Re: "Fitness Standards - Department Rule 2.36, signed and agreed to by Officer Michael Manley.

Exhibit No. 4 - Letter dated February 8, 1974, to Captain George Eimil, Director of Personnel, from Norman Steiner, M.D., Police Surgeon, Re; Overweight Officers: Michael Manley, Randall Thorne, and Richard P. Wallett, Re: Physical fitness examination as of February 5 and 7, 1974.

The following exhibit was introduced into Evidence by the Defense:

Exhibit No. A - Newspaper Item by Birney Jarvis, entitled "New Cops Will Have To Shape Up." dated Tuesday, March 10.1970.

The following named witness was then called by the Defense, was worn and testified:

Captain George Eimil, Director of Personnel.

Captain Mortimer F. McInerney, Captain of Inspectors, presented oral argument on behalf of the Prosecution.

Mr. William T. Beirne, Attorney at Law, presented oral argument on behalf of the Defense.

The Commission took the matter under submission at 2018 hours and will render a decision at a later date.

Recess taken in the Hearing of Police Officer Michael Manley:
1933 hours to 1947 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Cardoza, Garner

HEARING OF POLICE OFFICER RICHARD P. WALLETT, INGLESIDE POLICE STATION

The matter of the hearing of Police Officer Richard P. Wallett, Ingleside Police Station, was called, it having been set for this date. Police Officer Richard P. Wallett was charged with violating the Rules and Procedures of the San Francisco Police Department, as follows:

SPECIFICATION NO. 1

Failure to maintain weight requirements (Violation of Section 2.36 of the Rules and Procedures of the San Francisco Police Department)

in a properly verified complaint by Eugene F. Simmons, Sergeant of Police, Acting Commanding Officer of the Narcotic Detail.

Police Officer Richard P. Wallett appeared in person and was represented by Mr. William T. Beirne, Attorney at Law.

Mr. William T. Beirne, in behalf of Police Officer Richard P. Wallett, entered a verbal plea of not guilty.

Captain Mortimer F. McInerney, Captain of the Bureau of Inspectors, appeared as Prosecutor for the Police Department.

The following named witnesses appeared for the Prosecution,

were sworn and testified:

Police Officer Joseph C. Mollo, Police Academy

Lieutenant Willis A. Casey, Police Academy

Dr. Norman Steiner, Police Surgeon

The following named witness appeared for the Defense, was sworn and testified:

Police Officer Richard P. Wallett, Ingleside Police Station

The following exhibits were introduced into Evidence by the Prosecution:

Exhibit No. 2. - Intra-Departmental Memorandum, dated Thursday, May 31, 1973 to Captain George Eimil, from Lieutenant Willis A. Casey, Re: "Fitness Standards-Department Rule 2.36, signed and agreed to by Officer Richard P. Wallett.

Exhibit No. 4 - Letter dated February 8, 1974, to Captain George Eimil, Director of Personnel, from Norman Steiner, M.D., Police Surgeon, Re: Overweight Officers: Richard P. Wallett, Michael Manley and Randall G. Thorne, Re: Physical Fitness examinations as of February 5 and 7, 1974.

The following exhibit was introduced into Evidence by the Defense:

Exhibit No. A - Newspaper Item by Birney Jarvis, entitled "New Cops Will Have To Shape Up." dated, Tuesday, March 10, 1970.

The followed named witness was then called by the Defense, was sworn and testified:

Captain George Eimil, Director of Personnel

Captain Mortimer F. McInerney, Captain of Inspectors, presented oral argument on behalf of the Prosecution.

Mr. William T. Beirne, Attorney at Law, presented oral argument on behalf of the Defense.

The Commission took the matter under submission at 2018 hours and will render a decision at a later date.

Recess taken in the Hearing of Police Officer Richard P. Wallett:
1933 hours to 1947 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R)

The Commission then adjourned its meeting.

SECRETARY

3/6/74 c.2

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6 MARCH 1974 Minutes REGULAR MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, 6 March 1974, at 1730 hours.

PRESENT: Commissioners Cardoza, Garner

Commissioner Garner presiding.

The members of the Commission, having been furnished with copies of the minutes of the meeting of 27 February 1974, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Cardoza, Garner

PERMISSION TO TAKE LEAVES OF ABSENCE - APPROVED

The requests of the following named members of the Department for permission to take Leaves of Absence were approved:

MILITARY LEAVES - WITH PAY:

a) Assistant Inspector Robert L. Stone, Bureau of Inspectors, for three days, 1, 2, and 3 March 1974.

b) Police Officer Joseph Arone, Richmond Station, for two days, 23 and 24 February 1974.

c) Police Officer Theodore K. Barker, Richmond Station, for one day, 2 March 1974.

d) Police Officer Allan C. Bierman, Southern Station, for two days, 23 and 24 February 1974.

e) Police Officer Michael J. Griffin, Richmond Station, for two days, 23 and 24 February 1974.

f) Police Officer Bernard W. McNeil, Northern Station, for eight days, 16 and 17 March 1974, 20 and 21 April 1974, 18 and 19 May 1974, 15 and 16 June 1974.

g) Police Officer Vincent Repetto, Northern Station, for two days, 22 and 23 February 1974.

h) Police Officer Craig S. Piro, Crime Prevention Company, for two days, 26 and 28 February 1974.

i) Police Officer Richard P. Wallett, Ingleside Station, for two days, 2 and 3 March 1974.

AYES: Commissioners Cardoza, Garner

RETIREMENTS:

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following named members of the Police Department:

a) Police Officer Richard E. Armeit, Traffic Bureau, for service, effective 8 March 1974.

b) Police Officer George W. Gamble, Richmond Station, for service, effective 20 February 1974.

The communications were ordered filed.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 115-74

SANDRA L. HUNNICUTT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sandra L. Hunnicutt against the City and County of San Francisco in the sum of $15.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 5, 1973.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 116-74

MRS. THOMAS P. MURRAY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mrs. Thomas P. Murray against the City and County of San Francisco in the sum of $16.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 16, 1973

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 117-74

MORRIS M. PARKSDALE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Morris M. Parksdale against the City and County of San Francisco in the sum of $245.43 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: December 19, 1973

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 118-74

ALLEN C. BAUMANN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Allen C. Baumann against the City and County of San Francisco in the sum of $137.64 as the result of a collision with a police vehicle be, and the same is hereby approved.

Date of Accident: December 19, 1973

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 119-74

GARY GRUBE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gary Grube against the City and County of San Francisco in the sum of $78.66 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: December 11, 1973.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 120-74

REQUEST TO TRANSFER UNALLOTTED FUNDS

RESOLVED, that the Controller be, and he is hereby requested to transfer unallotted funds in the sum of $2,700 from Appropriation No. 3.161.961.000.000 (Grant Matching Fund) to

Appropriation No. 3.161.961.023.000 (Grant Matching Fund - Cable III), the amount required as local hard cash match for said grant.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 121-74

REQUEST TO RELEASE ALLOTTED FUNDS

RESOLVED, That the Controller be, and he is hereby requested to release allotted funds in the amount of $32,621 from Appropriation No. 3.161.112.000.000 (Holiday Pay - Uniformed Force) to pay outstanding payrolls now with the Controller's Office.

AYES: Commissioners Cardoza,, Garner

RESOLUTION NO. 122-74

AUTHORIZING ATTENDANCE OF POLICE OFFICER JOHN MAROTTO, CRIME LAYORATORY, AT THE BAHN FAIR INSTITUTE OF SCIENTIFIC LAW ENFORCEMENT AT LAKE TAHOE, CALIFORNIA, FROM 25 MARCH 1974 TO 4 APRIL 1974, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officer John Marotto, Crime Laboratory, be detailed to attend the Bahn Fair Institute of Scientific Law Enforcement, at Lake Tahoe, California, from 25 March 1974 to 4 April 1974, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officer John Marotto, Crime Laboratory, in a sum not to exceed $717.46 in attending this conference will be defrayed by the Police Department's Officers' Training Fund.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 123-74

AUTHORIZING ATTENDANCE OF LIEUTENANT PAUL A. LAWLER, INTELLIGENCE UNIT, AT A COURSE OF INSTRUCTION ON PUBLIC SECURITY SPONSORED BY THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE AT SAN FRANCISCO, CALIFORNIA, FROM 1 APRIL 1974 TO 3 APRIL 1974, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police, that Lieutenant Paul A. Lawler, Intelligence Unit, be detailed to attend a Course of Instruction on Public Security sponsored by the International Association of Chiefs of Police at San Francisco, California, from 1 April 1974 to 3 April 1974, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Paul A. Lawler, Intelligence Unit, in a sum not to exceed $300.00 in attending this Course, will be defrayed by the Police Department's Officers' Training Fund.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 124-74

AUTHORIZING ATTENDANCE OF SERGEANT WILLIAM PACHECO AND OFFICER DALE BOYD, CRIME PREVENTION COMPANY, OFFICER RAYMOND PORTUE, RICHMOND STATION, AND OFFICER ROBERT HULSEY, INGLESIDE STATION, AT THE SECOND ANNUAL NATIONAL EXPLOSIVE ORDNANCE DISPOSAL CONFERENCE AT SACRAMENTO, CALIFORNIA, FROM 17 MARCH 1974 TO 22 MARCH 1974, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Sergeant William Pacheco and Officer Dale Boyd, Crime Prevention Company, Officer Raymond Portue, Richmond Station, and Officer Robert Hulsey, Ingleside Station, be detailed to attend the Second Annual National Explosive Ordnance Disposal Conference at Sacramento, California, from 17 March 1974 to 22 March 1974, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant William Pacheco and Officer Dale Boyd, Crime Prevention Company, Officer Raymond Portue, Richmond Station, and Officer Robert Hulsey, Ingleside Station, in a sum not to exceed $261.65 each in attending this conference will be defrayed by the Police Department's Officers' Training Fund.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 125-74

AUTHORIZING WITHDRAWAL OF FUNDS FROM POLICE OFFICERS' TRAINING FUND.

RESOLVED, that the recommendation of the Chief of Police that $1,140.00 be withdrawn from the Police Officers' Training Fund, Appropriation No. 3.161.959.000.000, to finance a Hostage Negotiator Training Course to be conducted at the Police Academy for Commissioned Officers of the San Francisco Police Department by Dr. Harvey Schlossberg and Lieutenant Frank Bolz, of the New York City Police Department from 11 March 1974 to 15 March 1974, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that said amount be made payable to the San Francisco Police Department, and sent to Captain George Eimil, Director of Personnel, in order to defray the expenses incurred by Dr. Schlossberg and Lieutenant Bolz, of the New York City Police Department in conducting this Training Course.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 126-74

AUTHORIZATION OF THE NAME SAN FRANCISCO POLICE DEPARTMENT BY THE SAN FRANCISCO POLICE OFFICERS ATHLETIC FUND, INC. (POLICE ATHLETIC CLUB)

WHEREAS, the San Francisco Police Athletic Fund, Inc., (hereinafter refereed to as the POLICE ATHLETIC FUND) is dedicated to the upgrading of the physical fitness of San Francisco Police Officers; and

WHEREAS, the POLICE ATHLETIC CLUB encourages morale of members of the San Francisco Police Department by offering opportunities to engage in competitive athletic events; and

WHEREAS, athletic competition between members of the San Francisco Police Department and members of the general public enhances the relationship of the San Francisco Police Department and the community which it serves; and

WHEREAS, the Police Athletic Club has demonstrated its responsibility by insuring that organization to release and discharge the City and County of San Francisco, all its agents, employees, department, commissioners and officers thereof, of and from all actions, causes of action, damages, claims and demands, in law or in equity, of every kind and character, including claims resulting in any injury by way of damages, either civil or criminal; be it therefore

RESOLVED, that the SAN FRANCISCO POLICE ATHLETIC FUND, INC., is hereby authorized to use the name SAN FRANCISCO POLICE DEPARTMENT when participating in competitive athletic events.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 127-74

REGULATION OF THE USE OF THE NAME SAN FRANCISCO POLICE DEPARTMENT.

WHEREAS, the name SAN FRANCISCO POLICE DEPARTMENT has certain value; and

WHEREAS, the use of the name SAN FRANCISCO POLICE DEPARTMENT could cause liability to the San Francisco Police Department and the City and County of San Francisco; and

WHEREAS, the San Francisco Police Commission has the duty to protect the name of the San Francisco Police Department; be it therefore

RESOLVED, that no private organization or individual use the name SAN FRANCISCO POLICE DEPARTMENT as part of their title or name

without the prior consent of the San Francisco Police Commission; and be it further

RESOLVED, that the City Attorney is hereby requested to take whatever legal action appropriate to stop unauthorized organizations or individuals from use of the name SAN FRANCISCO POLICE DEPARTMENT as part of their title or name and to recover any damages accrued to the City and County of San Francisco and the San Francisco Police Department because of said use of the name SA FRANCISCO POLICE DEPARTMENT, or any other name similar to the SAN FRANCISCO POLICE DEPARTMENT that would mislead the public into believing that organization or individual is part of the organization known as the SAN FRANCISCO POLICE DEPARTMENT.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 128-74

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation Ordinance from the following appropriation number shown:

Appropriation No. 3.161.110.001 Permanent Salaries $1,000.00

and credit it to the following appropriation in the amount indicated:

Appropriation No. 3.161.140.000 Fees and Other Compensations $1,000.00

to provide funds for the continued services of a Court Reporter through 30 June 1974.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 129-74

AMENDING PART II, CHAPTER VIII, OF THE SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY ADDING THERETO SECTION 1070(a) (1) DEFINING CERTAIN DANCE ACADEMIES.

RESOLVED, that the Board of Supervisors be, and they are hereby requested to amend Part II, Chapter VIII, of the San Francisco Municipal Code (Police Code) as follows:

Be it ordained by the People of the City and County of San Francisco:

Section 1. Section 1070(a)(1) is hereby added to Part II, Chapter VIII, of the San Francisco Municpal Code, as follows:

TRANSFER OF JITNEY BUS PERMIT - CONTINUED FOR ONE WEEK

The matter of the transfer of the right to operate a jitney bus by the following named person was called for hearing, it having been set for this date. Mr. Murray Frohman, acting under a Power of Attorney for transferor Lewis S. Honig, and the transferee did not appear in person and were not represented by counsel. This matter, under direction of the Police Commission is to be continued until the next Police Commission meeting.

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
Lewis S. Honig 5 Stonypoint Place San Mateo, Calif.	Jerome Bergman 2430 Benedict Canyon Drive Beverly Hills, California	1

(Route: Mission Street - Ferry to Sickle Avenue)

AYES: Commissioners Cardoza, Garner

WEEKLY SICK REPORT

Chief of Police Donald M. Scott, submitted a report of members of the department off duty due to sickness and disability for the week ending Saturday, 2 March 1974, at 2400 hours, as follows:

Daily average for the week, sick	50	
Daily average for the week, disabled	50	
TOTAL		100
Daily percentage for the week, sick	2.57	
Daily percentage for the week, disabled	2.67	
TOTAL		5.24

The report was ordered filed.

AYES: Commissioners Cardoza, Garner

POLICE OFFICER ART TAPIA, OFFICERS FOR JUSTICE

Police Officer Art Tapia Officers For Justice, appeared before the Police Commission and read the following:

"OFFICERS FOR JUSTICE

ONCE AGAIN CITIZENS OF SAN FRANCISCO'S LATINO COMMUNITY HAVE BEEN VICTIMIZED BY POLICE CRIMES AND OFFICIAL TERRORISM. THE ACTS OF ASSAULT

UPON PERSONS UNDER COLOR OF AUTHORITY AND WILLFUL INHUMANITY TOWARDS PRISONERS BY SOME MEMBERS OF THIS DEPARTMENT HAVE INCREASED THE UNNECESSARY HATRED IN THE COMMUNITY AGAINST ALL OFFICERS. THE TIME HAS COME FOR ALL OF US, POLICE AND COMMUNITY, TO JOIN TO SEE THAT JUSTICE IS DONE, THAT THOSE OFFICERS RESPONSIBLE FOR THESE CRIMES AGAINST ALL OF SAN FRANCISCO BE PROSECUTED BEFORE A COURT OF LAW.

THE OFFICERS FOR JUSTICE CALL UPON THE MAYOR, HONORABLE JOSEPH ALIOTO, MEMBERS OF THE BOARD OF SUPERVISORS, THE POLICE COMMISSION, CHIEF OF POLICE DONALD SCOTT AND HIS ADMINISTRATORS, THE MEMBERS OF THE POLICE OFFICERS ASSOCIATION, AND THE MEMBERS OF THE SUPERVISORY OFFICERS ASSOCIATION, IF THEY TRULY BE MEN OF GOOD WILL AND FIRED BY A SENSE OF INDIGNATION OVER INJUSTICE, TO ASSIST A BELEAGUED PEOPLE IN OUR STRUGGLE FOR DIGNITY AND SURVIVAL.

THE ABYSMAL FAILURE OF PRESENT DEPARTMENTAL INVESTIGATION OF COMPLAINTS AND CONSEQUENTIAL DISCIPLINE, THIS FAILURE TO MITIGATE AND EVENTUALLY IRADICATE THIS VIOLENCE AGAINST OUR PROPLE MUST BE RECTIFIED BY SWIFT REMEDIAL ACTIONS INVOLVING MEMBERS OF OUR COMMUNITY.

WE IN NO WAY ADVOCATE THAT THE CONSTITUTIONAL GUARANTEES AND CIVIL RIGHTS OF ANY PERSON, BE HE A PEACE OFFICER OR A CITIZEN, BE DENIED. YET, THESE CRIMES ARE NO DIFFERENT FROM ANY OTHER IN THE STATUTES IN THAT THE CORPUS DELECTI IS TO BE ESTABLISHED, COMPLAINTS FILED WITH THE DISTRICT ATTORNEY, WARRANTS OF ARREST BE ISSUED BY THE COURT, AND THE ACCUSED BE BROUGHT BEFORE A MAGISTRATE FOR A FAIR AND SPEEDY TRIAL IN ACCORDANCE WITH THE LAW.

ALTHOUGH SOME MAY THINK THESE ACTIONS DRASTIC, OUR PEOPLE IN THE MINORITY COMMUNITIES OF SAN FRANCISCO CRY OUT FOR JUSTICE IN A SITUATION WHICH HAS BECOME INTOLERABLE AND PRESENTS AN INSIDIOUS PERIL FOR US ALL, POLICE AND CITIZENS.

TO OUR FELLOW OFFICERS IN THE SAN FRANCISCO POLICE DEPARTMENT WHO ARE NOT OF OUR PERSUASION BUT WHO TRULY BELIEVE THAT WE ARE HERE TO SERVE THE PEOPLE WHO EMPLOY US: WE WISH NO ILL TOWARDS YOU. AT THE BASE OF HUMAN EXISTENCE WE ARE NO DIFFERENT FROM YOU; WE TOO ARE FATHERS, SONS,

AND BROTHERS, AND BEAR THE SAME LOVE AND PRIDE FOR OUR FAMILIES AND OUR PEOPLE AS YOU DO. IF YOU CAN EXAMINE YOUR CONSCIENCE WITH HONESTY AND IMAGINE A SIMILAR ATTACK ON THE SENSIBILITIES AND PERSON OF ONE YOU LOVE, THEN YOU WILL UNDERSTAND OUR RAGE. IF NOT, THEN WE CONTINUE A COURSE TOWARDS CONFRONTATION FROM WHICH WE, THE OFFICERS FOR JUSTICE, CANNOT DEVIATE. OUR CAUSE IS JUST AND WE CANNOT ABANDON OUR PEOPLE."

Chief Scott then stated that he was taken by surprise to hear a fellow police officer make such allegations without going through the proper procedures. He further stated that although he did not agree with the way this complaint was presented, the Department would accept it as an official complaint and launch an immediate investigation.

Dr. Washington E. Gardner, President of the Commission, then stated that in the past, other Police Officer Associations have appeared at these meetings and made allegations that were just as shocking and that the Officers For Justice Police Officers Association should have the same right. He then stated to Officer Tapia that the Complaint would be investigated.

AYES: Commissioners Cardoza, Gardner

The Commission then adjourned its meeting.

SECRETARY

0/74

20 MARCH 1974 Minutes REGULAR MEETING

DOCUMENTS
MAR 2 5 1974
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The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, 20 March 1974, at 1730 hours.

PRESENT: Commissioners Cardoza, Garner

Commissioner Garner presiding.

The members of the Commission, having been furnished with copies of the minutes of the meeting of 6 March 1974, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Cardoza, Garner

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved.

701 GREENWICH STREET - LAMBERT-WOODS - ARCHITECTS

a) At 701 Greenwich Street, install a 20' green zone, to extend from 6' - 26' west of Powell Street.

1463 BROADWAY - BROADWAY BOWL

a) At 1463 Broadway, install a 44' Special Truck Loading zone, to extend east of the west building line - to be controlled by parking meters BDWY-1437 & BDWY-1439.

335 FRONT STREET - ONE EMBARCADERO CENTER

a) At approximately 335 Front Street, install an 80' Special Truck Loading Zone, to extend from 57' - 137' south of Clay Street - in effect from 7 A.M. - 6 P.M.

b) Remove parking meter heads FRO-315, 317, & 319.

98 HILLPOINT AVENUE - DEPT. OF PUBLIC WORKS

a) At #98 Hillpoint Avenue, install 5' of red, north of Parnassus Avenue.

b) At #99 Hillpoint Avenue, install 20' of red, north of Parnassus Avenue.

#2 BALBOA STREET - DEPT. OF PUBLIC WORKS

a) At #2 Balboa Street, install an 18' red zone, to extend west of Arguello Boulevard.

498 CENTRAL AVENUE - DEPT. OF PUBLIC WORKS

a) At 498 Central Avenue, install 20' of red, south of Hayes Street.

300 LAUREL STREET - DEPT. OF PUBLIC WORKS

a) At 300 Laurel Street, install 28' of red, south of Clay Street - (28' is requested because of a driveway at this location.)

2224 SACRAMENTO STREET - WALDEN HOUSE, INC.

a) At 2224 Sacramento Street, install a 20' yellow zone, to extend from 30' - 50' east of the west property line - (this zone, plus the driveway, should provide the curb space necessary for trucks stopping at this location.)

2101 PINE STREET - LAMPLEY REALTY

a) At 2101 Pine Street, install a 21' green zone, to extend from 3' - 24' west of Buchanan Street.

AYES: Commissioners Cardoza, Garner

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 306 feet of yellow and red zones at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Cardoza, Garner

PERMISSION TO TAKE LEAVES OF ABSENCE - APPROVED

The requests of the following named members of the Department for permission to take Leaves of Absence were approved:

MILITARY LEAVES - WITH PAY:

a) Police Officer Michael W. Folena, Central Station, for two days, 16 and 17 March 1974.

b) Police Officer Paul W. Husby, Traffic Bureau (Solo), for ten days, 8, 9 and 10 March 1974, 15 and 16 March 1974, and 20, 21, 22, 23 and 24 March 1974.

c) Police Officer Clint Locy, Central Station, for two days, 9 and 10 March 1974.

d) Police Officer Frank C. Scott, Crime Prevention Company, for two days, 8 December 1973 and 2 March 1974.

e) Police Officer Richard P. Wallett, Ingleside Station, for two days, 31 January 1974 and 1 February 1974.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 130-74

LEAVE OF ABSENCE WITHOUT PAY - DENIED

RESOLVED, that the request of Delores J. Butler, Parking Controlman, Traffic Bureau, for a Leave of Absence Without Pay from May 1, 1974 to December 31, 1974, inclusive, for the purpose of joining her husband stationed in the Army in Belgium, be, and the same is hereby denied.

AYES: Commissioners Cardoza, Garner

TRANSFER OF JITNEY BUS PERMIT - APPROVED

The matter of the transfer of the right to operate a jitney bus by the following named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title, or interest that the within-named transferor might have to operate a jitney bus to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
Ronald Jay Verber 242 Denslowe Drive San Francisco, Calif.	Isagani Santos Alfonso 60 Navajo Street San Francisco, Calif.	1

(Route: Mission Street - Ferry to Sickles Avenue)

AYES: Commissioners Cardoza, Garner

TRANSFER OF JITNEY BUS PERMIT - APPROVED

The matter of the transfer of the right to operate a jitney bus by the following named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. Mr. Murray Frohman, acting under a Power of Attorney, appeared for the transferor and the transferee appeared in person and was not represented by counsel. The Commission approved the transfer of whatever right, title or interest that the within-named transferor might have to operate a jitney bus to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
Lewis S. Honig 5 Stonypoint Place San Mateo, Calif.	Jerome Bergman 2430 Benedict Canyon Drive Beverly Hills, Calif.	1

(Route: Mission Street - Ferry to Sickles Avenue)

AYES: Commissioners Cardoza, Garner

TRANSFER OF LIMOUSINE PERMIT - APPROVED

The matter of the transfer of the right to operate a limousine by the following named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. The transferor and transferee appeared in person and was not represented by counsel. The Commission approved the transfer of whatever right, title or interest the within-named transferor might have to operate a limousine to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
William Brody 360 Corona Road Petaluma, Calif.	Lester B. Marshall 765 Point San Pedro San Rafael, Calif.	1

AYES: Commissioners Cardoza, Garner

CALIFORNIA PEACE OFFICERS' TRAINING FUND

Chief of Police Donald M. Scott, officially notified the Police Commission of the receipt by the San Francisco Police Department of a check in the amount of $266.56 from the California Peace Officers' Training Fund as the Police Department's reimbursement from this fund for the training of newly appointed police officers and in-service training of officers of the Department covering second quarter apportionment for the Fiscal Year 1973/74.

The Police Commission acknowledged receipt of the check by the San Francisco Police Department, and orderd that it be forwarded to the Controller for deposit in accordance with the provisions of Chapter 10, Section 10.117.3 of the Administrative Code of the City and County of San Francisco.

AYES: Commissioners Cardoza, Garner

RULES AND PROCEDURES - PERMANENT ORDER NO. 9, DATED APRIL 21, 1970- AMENDED - CONTINUED OFF CALENDAR.

WEEKLY SICK REPORT.

Chief of Police Donald M. Scott, submitted a report of members of the department off duty due to sickness and disability for the week ending Saturday, 16 March 1974, at 2400 hours, as follows:

Daily average for the week, sick	44	
Daily average for the week, disabled	44	
TOTAL		88
Daily percentage for the week, sick	2.25	
Daily percentage for the week, disabled	2.35	
TOTAL		4.60

The report was ordered filed.

AYES: Commissioners Cardoza, Garner

The Commission then adjourned its meeting.

SECRETARY

DOCUMENTS
APR 1 1974
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27 MARCH 1974 REGULAR MEETING

Minutes

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, 27 March 1974, at 1730 hours.

PRESENT: Commissioners Cardoza, Garner

Commissioner Garner presiding.

The members of the Commission, having been furnished with copies of the minutes of the meeting of 20 March 1974, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Cardoza, Garner

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved.

4260 MISSION STREET - IMPERIAL CREST CLEANERS

a) At 4260 Mission Street, install an 18' green zone, to extend from 2' - 20' south of Castle Manor.

1175 HOWARD STREET - MEN'S SOCIAL SERVICE,

a) At 1175 Howard Street, revoke existing 26' white zone.

b) At 1175 Howard Street, install a 46' white zone, to extend from 6' - 52' east of Sumner Street.

c) Permission to display portable No Parking signs in conjunction with this white zone.

d) Remove parking meter HOW-1165.

555 CHESTNUT STREET - TELEGRAPH HILL NEIGHBORHOOD ASSOCIATION

a) At 555 Chestnut Street, install a 44' white zone, to extend from 32' - 76' west of the east property line.

b) Permission to display portable No Parking signs in conjunction with this white zone.

2698 PINE STREET - SAN FRANCISCO MEDICAL SUPPLIES

a) At 2698 Pine Street, install a 25' yellow zone, to extend from 5' - 30' east of Divisadero Street.

1865 LOMBARD STREET - INTERNATIONAL CARPET CORP.

a) At 1865 Lombard Street, install a 22' green zone, to extend east of the west property line.

EMBARCADERO CENTER - NUMBER TWO

a) At 250 Sacramento Street, install a 66' white zone, to extend from 109' - 175' east of Front.

b) At 350 Front Street, install a 44' white zone, to extend from 126' - 170' south of Clay Street.

c) At 390 Front Street, install 10' red south of the drive, and 5' red north of the drive.

d) At 201 Davis Street, install 12' red north of Sacramento Street.

e) At 201 Davis Street, install a 30' yellow zone, to extend from 12' - 42' north of Sacramento Street.

f) At 201 Davis Street, install a 100' Special Truck Loading Zone, to extend from 42' - 142' north of Sacramento Street - to be in effect between 7 A.M. - 6 P.M.

g) At 225 Davis Street, install 7' red, from 142' - 149' north of Sacramento Street.

h) At 225 Davis Street, install 7' red between both drives, and 4' red north of the north drive.

i) At 255 Davis Street, install a 20' yellow zone, to extend from 13' - 33' south of Clay Street.

j) Permission to display portable No Parking signs in conjunction with the above white zone.

545 HUGO STREET - B.J's UNIFORM SHOP

a) At 545 Hugo Street, install a 20' green zone, to extend from 3' - 23' east of Seventh Avenue.

450 SUTTER STREET - FOUR-FIFTY SUTTER BUILDING

a) At 450 Sutter Street, permission be granted to display portable No Parking signs, to control 50' of curbing in front of the building, extending from 40' - 90' west of the east property line, from 11 P.M. - 6 A.M. daily.

2233 DIVISADERO STREET - APARTMENT HOUSE

a) At 2233 Divisadero Street, permission be granted to display portable No Parking signs between the driveways to the apartment house, a distance of 18'.
(The expense for the construction of these signs to be borne by the applicant.)

346 NINTH STREET - GOLDEN GATE REGIONAL CENTER

a) At 340 Ninth Street, revoke 50' of the existing 126' red zone - (the rest to be maintained to provide the proper clearance to driveways in this area).

b) At 346 Ninth Street, install a 24' white zone, to extend north of the south building line.

c) At 346 Ninth Street, install a 22' red zone, to extend from 24' - 46' north of the south line of the building.

d) Permission to display portable No Parking signs in conjunction with the above white zone.

2233 VICENTE STREET - CAMBRIDGE'S 34th & VICENTE MARKET

a) At 2233 Vicente Street, install a 42' green zone, to extend from 9' west to 33' east of the west property line.

AYES: Commissioners Cardoza, Garner

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 597 feet of white, red, green and yellow zones at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Cardoza, Garner

PERMISSION TO TAKE LEAVES OF ARSENCE - APPROVED

The requests of the following named members of the Department for permission to take Leaves of Absence were approved:

MILITARY LEAVES - WITH PAY:

a) Sergeant Lawrence C. MacKenzie, Traffic Bureau(E&I), for two days, 9 and 10 March 1974.

b) Assistant Inspector Robert L. Stone, Inspectors Bureau, for one day, 22 March 1974.

c) Police Officer Dale V. Boyd, Crime Prevention Company, for two days, 30 and 31 March 1974.

d) Police Officer Daniel P. Boyd, Mission Station, for two days, 9 and 10 March 1974.

e) Police Officer Garry P. Calgaro, Central Station, for two days, 9 and 10 March 1974.

f) Police Officer John J. Comisky, Crime Prevention Company, for six days, 16 and 17 March 1974, 13 and 14 April 1974, and 11 and 12 May 1974.

g) Police Officer Michael D. Chan, Northern Station, for two days, 23 and 24 March 1974.

h) Police Officer Robert R. Crosat, Southeast Station, for six days, 12 and 13 January 1974, 23 and 24 February 1974, and 23 and 24 March 1974.

i) Police Officer Robert L. Derby, Mission Station, for one day, 10 March 1974.

j) Police Officer Dennis W. Dillard, Southern Station, for two days, 23 and 24 March 1974.

k) Police Officer Robert A. Fitzer, Park Station, for two days, 23 and 24 March 1974.

l) Police Officer Michael J. Griffin, Richmond Station, for two days, 16 and 17 March 1974.

m) Police Officer Albert N. Maracci, Jr., Traffic Bureau (E&I), for two days, 30 and 31 March 1974.

n) Police OfficerStephen Mattoon, Park Station, for two days, 9 and 10 March 1974.

o) Police Officer John J. Moroschok, Park Station, for fifteen days, 15, 16 and 17 March 1974, and April 8, 1974 to April 19, 1974, inclusive.

p) Police Officer Michael F. Moysard, Crime Prevention Company, for two days, 23 and 24 March 1974.

q) Police Officer Michael D. Nowlin, Taraval Station, for two days, 9 and 10 March 1974.

r) Police Officer Thomas J. Petrini, Central Station, for four days, 23 and 24 February 1974, and 16 and 17 March 1974.

s) Police Officer Craig S. Piro, Crime Prevention Company, for three days, 25, 26 and 27 March 1974.

t) Police Officer Vincent Repetto, Northern Station, for two days, 23 and 24 March 1974.

u) Police Officer Anthony Rodriguez, Ingleside Station, for two days, 22 and 23 March 1974.

v) Police Officer Richard G. Sheehan, Central Station, for two days, 16 and 17 March 1974.

w) Police Officer James L. Stokes, Mission Station, for two days, 9 and 10 March 1974.

x) Station Officer Stanley H. Gabara, Bureau of Criminal Information-Communications, for two days, 9 and 10 March 1974.

AYES: Commissioners Cardoza, Garner

TRANSFER OF LIMOUSINE PERMIT - APPROVED

The matter of the transfer of the right to operate a limousine by the following named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions

of ordinance applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title or interest the within-named transferor might have to operate a limousine to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
Jimmy Erwin 2471 Vallejo Street San Francisco, Calif.	Martin Alan Levy 1060 Continental Way Belmont, California	1

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 136-74

REQUEST FOR A LEAVE OF ABSENCE WITHOUT PAY - APPROVED

RESOLVED, that the request of Parking Controlman Sallie Martin, Traffic Bureau, for permission to take a Leave of Absence Without Pay from April 15, 1974 to April 28, 1974, inclusive, to visit her family in New York where there is an illness, be, and the same is hereby approved.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 131-74

JEROME A. CITTI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jerome A. Citti against the City and County of San Francisco in the sum of $19.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 19, 1974

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 132-74

L. G. CURLEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of L. G. Curley against the City and County

of San Francisco in the sum of $16.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 14, 1973

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 133-74

JAMES B. COSTELLO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James B. Costello against the City and County of San Francisco in the sum of $81.86 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: January 24, 1974

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 134-74

HAROLD A. FORMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Harold A.Forman against the City and County of San Francisco in the sum of $55.00 as the result of a false arrest be, and the same is hereby approved.

Date of Incident: November 13, 1973

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 135-74

ELIZABETH SONNTAG

RESOLVED, that the recommendation of the City Attorney for settlement of Small Claims Court Action No. 296-587 in the sum of $56.25, entitled "Elizabeth Sonntag v. City and County of San Francisco" in favor of Elizabeth Sonntag, as the result of damages sustained when struck by a police vehicle, be, and the same is hereby approved.

Date of Accident: November 28, 1973

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 137-74

AUTHORIZING ATTENDANCE OF LIEUTENANT RAYMOND J. CANEPA, FRAUD DETAIL, AT THE F.B.I. NATIONAL ACADEMY AT QUANTICO, VIRGINIA, FROM 1 APRIL 1974 TO 20 JUNE 1974, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Raymond J. Canepa, Fraud Detail, be detailed to attend the 93rd Session of the F.B.I. Academy at Quantico, Virginia, from 1 April 1974 to 20 June 1974, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Raymond J. Canepa, Fraud Detail, in a sum not to exceed $800.00 in attending the 93rd Session of the F.B.I. Academy at Quantico, Virginia, will be defrayed by the Police Department's Police Travel Expense Fund, F.B.I. School.

AYES: Commissioners Cardoza, Garner

PERMISSION TO ACCEPT A REWARD - APPROVED

The request of Inspector William Van Laak, Bureau of Inspectors, Missing Person/Sex Detail, for permission to accept a reward of $25.00 from Mr. L. E. Guthrie, for services rendered in locating a missing person, be, and the same is hereby approved.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 138-74

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program; said expenses having been approved by the Chief of Police, be, and the same are hereby approved:

Inspector Rodney E. Williams, Community Relations Dr. Washington E. Garner, President, Police Commission	$388.54 each	(5th Annual Conference (of Police Community (Relations Officers, (at Little Rock, Arkansas, (from 10 March 1974 to (13 March 1974, inclusive.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 139-74

POLICE CONTINGENT FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Donald M. Scott in the sum of $3,750.00 charging same to Appropriation No. 3.161.890.000 to cover Contingent Fund disbursements for the month of April 1974.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 140-74

POLICE NARCOTIC FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Donald M. Scott in the sum of $4,166.00 charging same to Appropriation No. 3.161.890.050 to cover Narcotic Fund disbursements for the month of April 1974.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 141-74

REQUEST TO RELEASE UNALLOTTED FUNDS

RESOLVED, that the Controller be, and he is hereby requested to release unallotted funds in the amount of $66,308.46 and credit it to Appropriation No. 2.161.998.024.120 (Drug Abuse Enforcement Appropriation-Temporary Salaries), to provide funds for pending payrolls with the Controller's Office.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 142-74

SUPPLEMENTAL BUDGET FOR FISCAL YEAR 1974/75 - SAN FRANCISCO POLICE DEPARTMENT.

RESOLVED, that the Supplemental Budget of the San Francisco Police Department for the Fiscal Year 1974/75, as submitted by Chief of Police Donald M. Scott in the following amount be, and the same is hereby approved:

Supplemental Budget $194,195.00

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 143-74

AUTHORIZING WITHDRAWAL OF FUNDS FROM POLICE OFFICERS' TRAINING FUND

RESOLVED, that the recommendation of the Chief of Police that $150.00 be withdrawn from the Police Officers' Training Fund to cover lecture fees for the Hostage Negotiator Class held at the San Francisco Police Academy on March 11, 1974, be, and the same is hereby approved; and be it further

RESOLVED, that said amount be made payable to the San Francisco Police Department, and sent to Captain George Eimil, Director of Personnel.

AYES: Commissioners Cardoza, Garner

CHANGING OF DAY AND TIME OF POLICE COMMISSION MEETING - CONTINUED OFF CALENDAR.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 144-74

POLICE OFFICER JAMES E. BRASWELL

WHEREAS, the Chief of Police of the San Francisco Police Department submitted a report to the Police Commission regarding Police Officer James E. Braswell, which reads as follows:

"Officer James E. Braswell joined the Police Department on 06/17/63. On 07/26/72 he was suspended for a period of 90 days for failing to maintain patient decorum and command of temper and refrain from the use of harsh, violent, coarse, profane or uncivil language. The charges were based on the fact that he did use abusive language to a Lieutenant of Police, threatening him with bodily injury, striking wooden lockers with such force as to cause damage to them, kicking a garbage can, and striking the wall with such force as to damage same. In other words, Officer Braswell threw a temper tantrum.

Subsequently, Officer Braswell became infuriated at work over a minor incident involving a Police Sergeant. He began drinking that evening, took a few sleeping pills, woke up a day later and does not have a clear memory of what occurred for the next two days. However, during that time, while visiting a friend, he was shot in the abdomen. Investigation was unable to determine whether it was a suicide attempt or an accidential shooting. As a result of this incident, he was sent to a psychiatrist, Dr. Richard N. Trapnell. Dr. Trapnell stated that he was emotionally stable, in good control of his feelings except for trigger-type situations mentioned above. For want of a better diagnosis he referred to him as a

"personality pattern disturbance, psychopathic personality, mild."

It appears that the Police Department in continuing to employ Officer Braswell would have to ignore 1) His temperamental outbursts; 2) Psychiatric evaluation that he cannot control his temper at all times; and 3) Psychiatric evaluation that he has a psychopathic personality and personality pattern disturbance.

It is clear that the department cannot ignore said evidence and has been put on notice of Officer Braswell's unstable personality; therefore, it appears that Officer Braswell in his present state is unable to perform police work and should be referred by the Police Commission to the Retirement Board for retirement based on psychiatric reasons."

and

WHEREAS, the Chief of Police has recommended to the Police Commission that Police Officer James E. Braswell be retired from the San Francisco Police Department; therefore be it

RESOLVED, that in compliance with the provisions of Section 8.547 of the Charter of the City and County of San Francisco, the Police Commission does hereby recommend to the Employees' Retirement System that Police Officer James E. Braswell be retired from the San Francisco Police Department.

AYES: Commissioners Cardoza, Garner

WEEKLY SICK REPORT

Chief of Police Donald M. Scott, submitted a report of members of the department off duty due to sickness and disability for the week ending Saturday, 23 March 1974, at 2400 hours, as follows:

Daily average for the week, sick	54	
Daily average for the week, disabled	45	
TOTAL		99
Daily percentage for the week, sick	2.78	
Daily percentage for the week, disabled	2.41	
TOTAL		5.19

The report was ordered filed.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 145-74

HEARING OF POLICE OFFICER JOHN D. DRISCOLL, CENTRAL POLICE STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer John D. Driscoll, Central Police Station, as follows:

SPECIFICATION NO. 1:

Unlawfully taking a life by use of a firearm (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO.2:

Intoxicated to the extent of being unable to perform police duties (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department)

by Captain James M. Curran, Commanding Officer, Central Police Station; therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Police Officer John D. Driscoll, Central Police Station, be, and the same is hereby set for Wednesday, 10 April 1974, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Cardoza, Garner

The Commission then adjourned its meeting.

SECRETARY

10 APRIL 1974 Minutes REGULAR MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, 10 April 1974, at 1730 hours.

PRESENT: Commissioners Cardoza, Garner

Commissioner Garner presiding.

The members of the Commission, having been furnished with copies of the minutes of the meeting of 27 March 1974, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Cardoza, Garner

DOCUMENTS
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RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved.

2525 JONES STREET - TOWER RECORDS - TOWER BOOKS

a) At 2525 Jones Street, install a 34' yellow zone, to extend south of the north property line.

1750 UNION STREET - WEST-ERHARD SEMINARS TRAINING

a) At 1750 Union Street, install a 30' yellow zone, to extend west of the east line.

b) Remove parking meter UN-1726.

2012 PINE STREET - UNITED JAPANESE COMMUNITY SERVICES

a) At 2012 Pine Street, install a 33' white zone, to extend west of the east building line.

b) Permission to display portable No Parking signs in conjunction with this white zone.

55 GREEN STREET - CHALFONTE ST. GILES, INC.

a) At 55 Green Street, permission be granted to display portable No Parking signs, to control 40' of curbing extending from 60' - 100' west of Front Street, on days when containers are received.

#90, #198, and #200 PERALTA AVENUE and 1570 HAMPSHIRE STREET - DEPARTMENT OF PUBLIC WORKS

a) At 90 Peralta Avenue, install a 90' red zone, to extend east of Hampshire Street.

b) At 1570 Hampshire Street, install a 20' red zone, to extend north of Peralta Avenue.

c) At 198 Peralta Avenue, install a 57' red zone, to extend east of Florida Street.

d) At 200 Peralta Avenue, install a 90' red zone, to extend west of Florida Street.

#2 FREMONT STREET - ONE METROPOLITAN PLAZA

a) At #2 Fremont Street, install a 51' white zone, to extend from 80' - 131' south of Market Street.

b) At #2 Fremont Street, install a 100' Special Truck Loading Zone, to extend from 131' - 231' south of Market Street = should be in effect from 7 A.M. - 6 P.M.

c) Permission to display portable No Parking signs in conjunction with this white zone.

2601 BRODERICK STREET - DEPARTMENT OF PUBLIC WORKS

a) At 2601 Broderick Street, install a 20' red zone, to extend north of Vallejo Street.

3300 - 23RD STREET - MUNI

a) At 3300 - 23rd Street, install a 50' red zone, to extend west of Mission Street.

b) Remove parking meter 238-3302 & 238-3304.

646 WASHINGTON STREET - RYUMAN CHINESE RESTAURANT

a) At 646 Washington Street, revoke existing 27' yellow zone.

b) At 646 Washington Street, install a 24' white zone, to extend from 3' - 27' east of the west line.

c) Permission to display portable No Parking signs in conjunction with this white zone.

601 JOOST AVENUE - MIRALOMA CO-OPERATIVE NURSERY SCHOOL

a) At 601 Joost Avenue, install a 25' white zone, to extend from 5' - 30' west of Foerster Avenue.

b) Permission to display portable No Parking signs in conjunction with this white zone.

AYES: Commissioners Cardoza, Garner

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 654 feet of yellow, red, white and green zones at various parts of the City at the locations submitted, be and the same are hereby approved.

AYES: Commissioners Cardoza, Garner

PERMISSION TO TAKE LEAVES OF ABSENCE - APPROVED

The requests of the following named members of the Department for permission to take Leaves of Absence were approved:

MILITARY LEAVES - WITH PAY:

a) Lieutenant Mario Amoroso, Planning and Research, for five days, 5 May 1974 to 9 May 1974, inclusive.

b) Sergeant James Glafkides, Jr., Taraval Station, for four days, 9 and 10 March 1974, and 20 and 21 April 1974.

c) Inspector Daniel J. Murphy, Bureau of Inspectors, for one day, 29 March 1974.

d) Assistant Inspector Robert L. Stone, Bureau of Inspectors, for two days, 30 and 31 March 1974.

e) Police Officer Theodore K. Barker, Richmond Station, for two days, 30 and 31 March 1974.

f) Police Officer Philip O. Bill, Crime Prevention Company, for two days, 20 and 21 April 1974.

g) Police Officer Allan C. Bierman, Southern Station, for four days, 23 March 1974, and 5, 6, and 7 April 1974.

h) Police Officer John W. Bourne, Taraval Station, for six days, 23 and 24 March 1974, 11 and 12 May 1974, and 8 and 9 June 1974.

i) Police Officer Paul G. Copeland, Jr., Park Station, for one day, 16 March 1974.

j) Police Officer Dennis W. Dillard, Southern Station, for three days, 5, 6, and 7 April 1974.

k) Police Officer Alex E. Fagan, Southern Station, for two days, 6 and 7 April 1974.

l) Police Officer Robert D. Frediani, Traffic Bureau, for two days, 6 and 7 April 1974.

m) Police Officer Charles J. Keohane, Mission Station, for one day, 7 April 1974.

n) Police Officer Robert A. Fitzer, Park Station, for one day, 6 April 1974.

o) Police Officer Raymond D. Kilroy, Northern Station, for two days, 9 and 10 March 1974.

p) Police Officer Dennis P. Martel, Mission Station, for two days, 9 March 1974, and 6 April 1974.

q) Police Officer Jody J. Moroschok, Park Station, for two days, 20 and 21 April 1974.

r) Police Officer Craig S. Piro, Crime Prevention Company, for four days, 11 and 12 April 1974, and 23 and 24 April 1974.

s) Police Officer Thomas M. Strong, Taraval Station, for three days, 12, 13 and 19 April 1974.

t) Police Officer John E. Tursi, Richmond Station, for two days, 20 and 21 April 1974.

u) Police Officer Richard P. Wallett, Ingleside Station, for two days, 6 and 7 April 1974.

MILITARY LEAVE - WITHOUT PAY:

v) Lieutenant Mario Amoroso, Planning and Research, for one day, 10 May 1974.

AYES: Commissioners Cardoza, Garner

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following named members of the Police Department:

a) Limited Tenure Captain Paul A. Kiel, Operations Center, for service, effective 15 March 1974.

b) Police Officer Calvin E. Frost, Central Station, for service, effective 27 February 1974.

RESOLUTION NO. 146-74

CALIFORNIA STATE AUTOMOBILE ASSOCIATION AND RENE L. ROBERTS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the California State Automobile Association and Rene L. Roberts against the City and County of San Francisco in the sum of $450.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: 18 December 1973

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 147-74

LARRY MARQUEZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Larry Marquez against the City and County of San Francisco in the sum of $204.60 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: 22 October 1973

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 148-74

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF CHARGES - APPROVED

WHEREAS, Police Officer Percy E. Cooksey, Bureau of Special Services, was suspended without pay effective 0800 hours, 28 November 1973, pending hearing of the charges before the Police Commission; and

WHEREAS, Police Officer Percy E. Cooksey, has requested a continuance of his hearing before the Police Commission until the completion of criminal action filed against him; therefore be it

RESOLVED, that Police Officer Percy E. Cooksy, Bureau of Special Services, be placed on Leave of Absence Without Pay at his request for a period of three months commencing 28 March 1974, until his hearing is held beofre the Police Commission.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 149-74

AUTHORIZING ATTENDANCE OF CAPTAIN EDWARD B. CUMMINS, DIRECTOR OF TRAFFIC, AT THE CALIFORNIA STATE PEACE OFFICERS' ASSOCIATION AT SAN DIEGO, CALIFORNIA, FROM 12 MAY 1974 TO 15 MAY 1974, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Captain Edward B. Cummins, Director of Traffic, be detailed to attend the California State Peace Officers' Association at San Diego, California, from 12 May 1974 to 15 May 1974, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Captain Edward B. Cummins, Director of Traffic, in a sum not to exceed $239.00 , in attending this

conference will be defrayed by the Police Department's Officers' Training Fund.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 150-74

AUTHORIZING ATTENDANCE OF DEPUTY CHIEF OF POLICE WILLIAM J. KEAYS AND CAPTAIN HUGH C. ELBERT, BUREAU OF INTERNAL AFFAIRS, AT THE INTERNATIONAL AFFAIRS SEMINAR AT COSTA MESA, CALIFORNIA, FROM 11 JUNE 1974 TO 13 JUNE 1974, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Deputy Chief of Police William J. Keays and Captain Hugh C. Elbert, Bureau of Internal Affairs, be detailed to attend the Internal Affairs Seminar at Costa Mesa, California, from 11 June 1974 to 13 June 1974, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Deputy Chief of Police William J. Keays and Captain Hugh C. Elbert, Bureau of Internal Affairs, in a sum not to exceed $350.50 each in attending the Seminar will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 151-74

REQUEST FOR A LEAVE OF ABSENCE WITHOUT PAY - DISAPPROVED

RESOLVED, that the request of Parking Controlman Joan Thomas, Traffic Bureau, for an extension of her Leave of Absence Without Pay for an indefinite period from 1 June 1974, for the purpose of continuing her position as a representative of City Employees Union, Local 96, be, and the same is hereby disapproved.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 152-74

REQUEST FOR A LEAVE OF ABSENCE WITHOUT PAY - APPROVED

RESOLVED, that the request of Parking Controlman Delores J. Butler, Traffic Bureau, for permission to take a Leave of Absence Without Pay, from 1 May 1974 to 31 December 1974, inclusive, for the purpose of joining her husband who is in the Army and stationed in Belgium, be, and the same is hereby approved.

AYES: Commissioners Cardoza, Garner

PERMISSION TO FILE CIVIL SUIT - APPROVED

The request of Police Officer Anthony J. Spiteri, Crime Prevention Company, for permission to file a civil suit for property damage and personal injury received in a vehicle accident while off-duty, be, and the same is hereby approved.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 153-74

AUTHORIZING WITHDRAWAL OF FUNDS FROM POLICE OFFICERS' TRAINING FUND.

RESOLVED, that the recommendation of the Chief of Police that $3,470.64 be withdrawn from the Police Officers' Training Fund to cover tuition expense voucher submitted by Sergeant Bill R. Taylor, Bureau of Internal Affairs, for the Polygraph Examiner Course, conducted at the U.S. Army Military Police School, Fort Gordon, Georgia, from 19 August 1973 to 29 November 1973, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that said amount be made payable to the Department of the Army, and sent to Sergeant Bill R. Taylor, Bureau of Internal Affairs, for transmittal to the Department of the Army, Finance and Accounting Office, Fort Gordon, Georgia., 30905.

AYES: Commissioners Cardoza, Garner

TRANSFER OF TAXICAB PERMITS - APPROVED

The matter of the transfers of the right to operate a taxicab by the following named persons were called for hearing, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. The transferors and transferees appeared in person and were not represented by counsel. The Commission approved the transfers of whatever rights, titles, or interests that the within-named transferors might have to operate taxicabs to the within-named transferees; said approvals contingent upon the transferees filing with the Police Commission the appropriate bonds and/or insurance policies as provided by the Police Code:

	TRANSFEROR	TRANSFEREE	NO. OF PERMITS
a)	Amanze J. Angeli 901 "N" McDowell Ave. Space 123 Petaluma, California	Dewayne F. Kenn 243 Milauga Drive Pacifica, Calif.	1

b)	Gurston L. Blass 2450 - 47th Avenue San Francisco, Calif.	Paul Raymond Kessler 633 Prospect Avenue San Carlos, Calif.	1
c)	Leroy O'Farrell Box 543 Ault, Colorado	Luxor Cab Company 1380 Bush Street San Francisco, Calif.	1

AYES: Commissioners Cardoza, Garner

TRANSFER OF LIMOUSINE PERMIT - CONTINUED ONE WEEK

The matter of the transfer of the right to operate a limousine by the following named person was called for hearing, it having been set for this date. The transferor and transferee appeared in person and were not represented by counsel.

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
Edward Capella 1605 Coronado Way Burlingame, Calif.	Nissim Ninio 2033 Castro Street San Francisco, Calif.	1

Mr. Bill Biggerstad of the Limousine Association appeared before the Police Commission and stated he would like this transfer put over for one week so the Limousine Association would have a chance to vote upon the acceptance of Mr. Nissim Ninio into the association. The Police Commission granted his request.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 154-74

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY (JITNEY BUS PERMIT)- HEARING TO REVOKE - CONTINUED TO 1 MAY 1974.

WHEREAS, there was granted to Jesus V. Losa, Jr., on January 31, 1973, a permit and/or license for the operation of one (1) jitney bus; and

WHEREAS, pursuant to an investigation conducted by the Vehicle Inspection Detail of the San Francisco Police Department, the Chief of Police was advised that Jesus V. Losa, Jr., was not operating his jitney bus and had not so operated said vehicle for a period in excess of ten (10) consecutive days and was, therefore, in violation of the provisions of Section 1079 of the Police Code; and

WHEREAS, Jesus V. Losa, Jr., appeared before the Police Commission on Wednesday, 10 April 1974, and requested he be allowed an extension of time to locate a driver to operate his jitney bus permit; and

WHEREAS, the Police Commission feels that an extension of twenty-one (21) days would be sufficient time to allow Mr. Losa to locate a driver to operate his jitney bus permit; therefore be it

RESOLVED, that the request of Mr. Jesus V. Losa, Jr., for an extension of twenty-one (21) days to locate a driver to operate his jitney bus permit, be, and the same is hereby approved.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 155-74

UNIFORM AND EQUIPMENT SPECIFICATIONS OF THE SAN FRANCISCO POLICE DEPARTMENT- OFFICIAL UNIFORM FOR MEMBER DESIGNATED AS PROPERTY CLERK AND PROPERTY CLERK STAR.

RESOLVED' that effective at 0000 hours, Thursday, 11 April 1974, the following amendment to the Uniform and Equipment Specifications for a member of the San Francisco Police Department designated as Property Clerk, be, and the same is hereby approved.

OFFICIAL UNIFORM FOR MEMBER DESIGNATED AS PROPERTY CLERK.

The uniform prescribed for the member designated as Property Clerk shall be the same as that specified for Lieutenant of Police with the following exception:

No shoulder bar shall be worn designating rank.

AMENDMENT TO SAN FRANCISCO POLICE DEPARTMENT REGULATION STARS- PROPERTY CLERK STAR

(Added Section) Yellow metal, 7-pointed, two and three-fourths inches in diameter from point to point with the number in raised figures in center and the words "Property Clerk" above the number and "S.F. Police " underneath the number in blue enamel. The body of the star shall be neatly engraved.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 156-74

REQUEST TO TRANSFER RESERVE FUNDS

RESOLVED, that the Controller be, and he is hereby requested to transfer reserve funds in the amount of $100,000 from Appropriation No. 3.161.110.000.000 (Permanent Salaries-Uniformed Force) to Appropriation No. 3.161.113.000.000 (Extended Work Week-Uniformed Force) as authorized by Ordinance No. 304-74, August 2, 1973.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 157-74

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation Ordinance from the following appropriation numbers in the amounts shown:

Appropriation No. 3.161.110.000.	Permanent Salaries- Uniformed Force	$1,666
Appropriation No. 3.161.863.000	Mandatory Fringe Benefits- Transfer from 3.697.860.000	553
	Any fund designated by the Mayor or Controller	385
		$2,604

and credit the following appropriations in the amounts indicated:

Appropriation 3.161.110.000	Permanent Salaries- Uniformed Force	$1,955
Appropriation 3.161.863.000	Mandatory Fringe Benefits Transfer to 3.697.860.000	649
		$2,604

for reclassification of one (1) 450 Director of Bureau of Special Services as one (1) Q80 Captain effective 1 June 1974.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 158-74

SUPPLEMENTAL BUDGET FOR FISCAL YEAR 1974/75 - SAN FRANCISCO POLICE DEPARTMENT.

RESOLVED, that the Supplemental Budget of the San Francisco Police Department for the Fiscal Year 1974/75, as submitted by Chief of Police Donald M. Scott in the following amount be, and the same is hereby approved:

SUPPLEMENTAL BUDGET $4,619.00

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 159-74

REQUEST FOR A LEAVE OF ABSENCE WITHOUT PAY - APPROVED

RESOLVED, that the request of Legal Stenographer Faina Thiel, Staff Inspection, for permission to take a Leave of Absence Without Pay for six weeks commencing 18 April 1974 and terminating 30 May 1974, for the purpose of accompanying her mother to Los Angeles so that she may have an operation, be, and the same is hereby approved.

AYES: Commissioners Cardoza, Garner

WEEKLY SICK REPORT

Chief of Police Donald M. Scott, submitted a report of members of the department off duty due to sickness and disability for the week ending Saturday, 6 April 1974, at 2400 hours, as follows:

Daily average for the week, sick	45	
Daily average for the week, disabled	51	
TOTAL		96

Daily percentage for the week, sick	2.30	
Daily percentage for the week, disabled	2.73	
TOTAL		5.03

The report was ordered filed.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 160-74

HEARING OF POLICE OFFICER JOHN D. DRISCOLL, CENTRAL POLICE STATION.

WHEREAS, the hearing of Police Officer John D. Driscoll, Central Station, was called, it having been set for this date; and

WHEREAS, Mr. William T. Beirne, attorney for Police Officer John D. Driscoll, Central Police Station, has requested that a date for the hearing be set after the criminal proceedings have been disposed of in this matter; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer John D. Driscoll, is set for Wednesday, 15 May 1974 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 161-74

HEARING OF POLICE OFFICER PERCY E. COOKSEY, BUREAU OF SPECIAL SERVICES.

WHEREAS, the hearing of Police Officer Percy E. Cooksey, Bureau of Special Services, was called, it having been set for this date; and

WHEREAS, Mr. Atklin G. Brown, attorney for Police Officer Percy E. Cooksey, Bureau of Special Services, has requested that a date for the hearing be set after the criminal proceedings have been disposed of in this matter; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Percy E. Cooksey, is set for Wednesday, 1 May 1974 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Cardoza, Garner

HEARING OF POLICE OFFICER GEORGE H. BENNER, TARAVAL POLICE STATION

The hearing of Police Officer George H. Benner, Taraval Police Station, was called, it having been set for this date. Police Officer George H. Benner was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1:

Being under the influence of intoxicating liquor while on duty (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 2:

Refusal to obey a lawful order (Violation of Section 2.45 of the Rules and Procedures of the San Francisco Police Department)

in a properly verified complaint by Acting Captain of Police, Raymond D. White, Acting Captain of Taraval Police Station, San Francisco Police Department.

Police Officer George H. Benner appeared in person and was represented by Mr. William T. Beirne, Attorney at Law.

Captain George Eimil, Director of Personnel, appeared as the Prosecutor for the Police Department.

The reading of the Charges were waived.

Police Officer George H. Benner entered a written plea od "No Contest" to Specifications No. 1 and No. 2.

Police Officer George H. Benner did not take the stand in his own behalf, but Mr. William T. Beirne, Attorney at Law, made an oral statement on behalf of Officer George H. Benner.

The following witnesses appeared for the Prosecution, were sworn and testified:

Lieutenant Willis A. Casey, Personnel, Police Academy

Police Officer John F. Devine, Officer-in-Charge, Alcohol Abuse Program.

The Commission took the matter under submission and then recessed from 1847 hours to 1955 hours after which the following resolution was adopted:

RESOLUTION NO. 162-74

DECISION - HEARING OF POLICE OFFICER GEORGE H. BENNER, TARAVAL POLICE STATION.

WHEREAS, on 25 March 1974, Acting Captain Raymond D. White, Taraval Police Station, made and served charges against Police Officer George H. Benner, Taraval Police Station, as follows:

SPECIFICATION NO. 1:

a) That at or about 0655 hours, Friday, 22 March 1974, the accused reported for duty at the Taraval Police Station;

b) That at that time it was observed that the accused was unsteady on his feet and spoke in a confused and slurred manner;

c) That the accused at this time had a strong alcoholic breath and exhibited physical manifestations of an intoxicated person;

d) That when questioned relative to his conduct by his commanding officer, the accused stated that he had taken medication and also "had a few drinks";

e) Because of the above stated conduct, the accused did violate Section 2.125 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

> "Shall not, while on duty or in uniform, drink any kind of intoxicating liquor or whether on or off duty be under the influence of intoxicating liquor to such an extent that he will not always be prepared to exercise police powers and be entrusted with the performance of police duty in a calm, deliberate and efficient manner."

SPECIFICATION NO. 2:

f) Paragraphs (a) through (e) are hereby incorporated as though fully set forth herein;

g) That a member of the Department especially assigned interviewed the accused at his home at approximately 1000 hours, 22 March 1974;

h) That the member especially assigned noticed that the accused was unsteady on his feet; his speech was slurred and had a strong odor of alcohol about him;

i) That the accused admitted to the officer especially assigned that he had drunk about one-half pint of alcoholic beverage;

j) That the commanding officer of the Taraval Police District responded to the home of the accused and ordered the accused to submit to a blood alcohol test;

k) That the accused refused to obey this order from his commanding officer;

l) Because of the above stated conduct, the accused did violate Section 2.45 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

"Shall strictly obey and promptly execute the lawful orders of his superior officers. In case of conflict of orders from superior officers, he shall respectfully call the attention of the superior officer giving the last order to such conflict, should the latter not change his order it shall be obeyed and the member shall not be held responsible for disobedience of any former order in obeying said last order."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, 10 April 1974, and that on Wednesday, 10 April 1974, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that said charges made and filed against Police Officer George H. Benner, Taraval Police Station, as contained in Specification No. 1, and No. 2, are sustained by the evidence presented at the hearing and that Police Officer George H. Benner violated Sections 2.125 and 2.45 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer George H. Benner has violated Specification No. 1, Section 2.125 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer George H. Benner has violated Specification No. 2, Section 2.45 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that for said violations, Police Officer George H. Benner, be suspended for nineteen (19) days without pay, commencing Friday, 22 March 1974, at 0815 hours, and terminating on Wednesday, 10 April 1974, at 2400 hours, and that he be placed on a one (1) year probationary status commencing Thursday, 11 April 1974, at 0000 hours, and terminating Wednesday, 10 April 1975, at 2400 hours; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer George H. Benner, participate in the Police Department's Alcoholic Abuse Program and that Police Officer John F. Devine, Officer-in-Charge of the Alcoholic Abuse Program, report to the Police Commission every three (3) months on the condition and progress being made by Police Officer George H. Benner, with

the Police Department's Alcoholic Abuse Program.

AYES: Commissioners Cardoza, Garner

Recess: 1847 hours to 1955 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

The Commission then adjourned its meeting.

SECRETARY

DOCUMENTS

APR 24 1974

SAN FRANCISCO
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17 APRIL 1974 Minutes

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, 17 April 1974, at 1700 hours.

PRESENT: Commissioners Cardoza, Garner

Commissioner Garner presiding.

SPECIAL ORDER

RESOLUTION NO. 178-74

SAN FRANCISCO POLICE OFFICERS ASSOCIATION MEMORANDUM OF UNDERSTANDING APPROVED AND SIGNED BY HONORABLE JOSEPH L. ALIOTO, MAYOR OF SAN FRANCISCO AND THE SAN FRANCISCO POLICE COMMISSION.

RESOLVED, that the Police Commission does hereby accept and approve the San Francisco Police Officers Association Memorandum of Understanding signed by Honorable Joseph L. Alioto, Mayor of San Francisco and the San Francisco Police Commission, and submitted herewith to the Honorable Board of Supervisors, as follows:

MEMORANDUM OF UNDERSTANDING

This Memorandum constitutes a mutual agreement between the SAN FRANCISCO POLICE OFFICERS ASSOCIATION, hereinafter referred to as the Association and the CITY AND COUNTY OF SAN FRANCISCO, through its statutory representatives, the MAYOR and the POLICE COMMISSION thereof, and its governing body, the BOARD OF SUPERVISORS thereof, hereinafter collectively referred to as the Employer.

Witnesseth:

WHEREAS, the parties hereto recognize that employment relations between public management and public employee organizations is in a period of transition; and

WHEREAS, the parties further recognize the unique nature of police officers' duties and responsibilities in the protection of the lives and property of the people; and

WHEREAS, the San Francisco Police Officers' Association has agreed to forego the power to strike in full or by slow-down or medical excuses, during the term of this Agreement in consideration for the agreement of the parties to pioneer in San Francisco the development of an impartial approach to the settlement of differences between the parties through arbitration, therefore

IT IS HEREBY MUTUALLY AGREED that this Memorandum of Agreement is entered into with the understanding that the respective obligations herein undertaken shall prevail for a period of three years, and that none of said undertakings shall constitute a binding precedent upon either party for any period beyond the term of this Agreement.

SECTION 1. RECOGNITION

The Employer recognizes the Association as the representative of the sworn personnel of the Police Department of the City and County of San Francisco as to all matters relating to employment conditions and employer-employee relations. Provided however that nothing in this agreement shall prohibit any other organization from consulting with city management officials on wages, hours and other terms and conditions of employment.

SECTION 2. POLICE OFFICERS' BILL OF RIGHTS

The San Francisco Police Officers' Bill of Rights shall provide but shall not be limited to, the following:

a. Except when on duty, or whenever acting in his official capacity, no police officer shall be prohibited from engaging in political activity.

b. Whenever a police officer is under investigation and subjected to interrogation by his commanding officer and/or any other officer of the Police Department, for any reason which could lead to disciplinary action, demotion, dismissal, transfer, or criminal action or charges, such interrogation shall be conducted under the following conditions:

i. The interrogation shall be conducted at a reasonable hour, preferably at a time when the officer is on duty, with reasonable notice being given, unless the seriousness of the investigation is of such a degree that an immediate interrogation is required, and if such interrogation does occur during the off duty time of the officer being interrogated, he shall be compensated for such off duty time in accordance with regular department procedures.

ii. The investigating officer shall designate the location at which the interrogation shall take place. It shall be at (1) the office of the command of the investigating officer; or (2) the station, bureau or unit in which an incident allegedly occurred; or (3) at the actual location where the incident allegedly occurred, in which latter event no non-officer complainant shall be allowed to be present. If circumstances preclude the selection of any of the above, then the investigation shall be conducted at any other place selected by the interviewing officer in consultation with the officer under investigation.

iii. The officer under investigation shall be informed prior to such interrogation of the rank, name and command of the officer in charge of the investigation, the interrogating officers, and all persons who will be present during the interrogation. All questions directed to the officer under interrogation shall be asked by and through no more than two (2) interrogators.

iv. All complaints must be reduced to writing as soon as possible. The officer under interrogation shall be informed in writing of the nature of the investigation

prior to any interrogation, and he shall be informed, in writing, of the names and addresses of all complainants, provided, however, that the investigating officer of a complaint may be the complainant.

v. Interrogating sessions shall be for reasonable periods and shall be timed to allow for such personal necessities and rest periods as are reasonably necessary, provided that no period of continuous questioning shall be longer than thirty (30) minutes duration without the officers' consent.

vi. The officer under interrogation shall not be subjected to offensive language or threatened with transfer or any disciplinary action other than advising the officer of the contents of Rule 2.49. No promise of reward or favorable treatment shall be made as an inducement to answering any question. The Police Department shall not cause him to be subjected to visits by the press or news media without his express consent, nor shall his home address, telephone number or photograph be given to the press or news media without his express consent.

vii. The complete interrogation of the officer, including all recess periods, shall be recorded, and there shall be no unrecorded questions or statements. At the request of the officer a copy of the interrogation shall be furnished to him if transcribed, and if further proceedings are contemplated by the Police Department or any other agency. If a tape recording is made of the interrogation, the officer shall have access to a copy of the tape if any further proceedings are contemplated. The officer being interrogated shall have the right to bring his own recording device and record any and all aspects of the in-

terrogation. This paragraph shall not apply to hearings conducted by the Department's Accident Board of Review.

viii. ADVICE OF RIGHTS (to be read to each officer prior to interrogation)

A police officer is a citizen of the United States of America and of the State of California and, as such, is entitled to all the rights and privileges guaranteed by the Constitution and laws of the United Stated and of the State of California, including the right not to be compelled to incriminate himself and the right to counsel at each and every stage of an interrogation.

The refusal by a police officer to answer questions propounded to him as part of an official investigation of this department and which are specifically directed and narrowly related to the performance of his official duties, may subject the officer to disciplinary action, including departmental charges which may result in his dismissal from the department.

If the officer does answer, neither his statements nor any information or evidence which is gained by reason of such statements may be used against him in any subsequent criminal proceeding. However, these statements may be used against the officer in relation to subsequent departmental charges.

In the event that the department chooses to proceed criminally against the officer for any violation of law, no interrogation shall take place unless a representative or counsel of the officers' choosing is present. The representative or counsel selected by the officer may counsel the officer prior and during the interrogation

and object to any questions asked, and the interrogation will immediately terminate at the request of the officer or his representative or counsel.

In all other cases, the officer to be interrogated shall have the right to be represented by counsel or another representative of his choice, who may be present at all times during such interrogations as an observer.

ix. An officer shall have the right to name witnesses who shall be interviewed by the investigating officer.

x. Nothing in the foregoing shall abridge the right of a commanding officer to counsel with, advise, or admonish an officer under his command in private.

xi. At the conclusion of the interrogation, the officer shall have the right to make an oral presentation for the record, or read a written statement into the record. The member shall, if requested, have the right to a brief recess period prior to said oral presentation or said reading of a written statement.

xii. Any complaint against an officer which has been exonerated or unfounded as defined in P.O. 2-67 shall be expunged and removed from all departmental personnel files and records.

c. Police officers shall have the right, upon notification to the Police Commission, to bring civil suit against any person or group of persons, including heads or members of business, social or educational organizations for damages suffered, either pecuniary or otherwise, or for abridgement of their civil rights on account of their performance of official duties. No complaint by a civilian against an officer shall result in any disciplinary action, unless the complaint be duly sworn to by the complainant before an official authorized

to administer oaths, provided, however, that for the purposes of this paragraph, admonishment shall not be considered a disciplinary action.

d. No member shall be discharged, disciplined, demoted, transferred or denied transfer, promotion or reassignment, or otherwise discriminated against in regard to his employment, or be threatened with any such treatment, by reason of his lawful exercise of his constitutional rights and/or the rights granted herein and/or the exercise of his rights to initiate and pursue a grievance.

e. No dismissal, demotion, transfer, reassignment, denial of promotion or reassignment, or other personnel action which might result in the loss of pay or benefits or which might otherwise be considered a punitive measure shall be taken against an officer unless such officer is notified in writing of the action and the reason or reasons therefore prior to taking such action.

f. In addition to any administrative procedures available to him regarding the filing of grievances, any officer may institute an action in a civil court to obtain redress of grievances, but he shall have first used the grievance procedure set forth herein.

g. No officer shall have any comment or statement adverse to his interest entered into his personnel record by any person without having first read and signed the instrument.

h. No officer shall be compelled to submit to a polygraph examination without his express written consent. No disciplinary action or other recrimination whatsoever shall be taken against an officer refusing to submit to a polygraph examination, nor shall any comment be entered anywhere that the officer refused to take a polygraph examination, nor shall

any testimony or evidence be admissible in any Police Department proceeding, to the effect that the officer refused to take a polygraph examination.

i. No officer shall be denied the opportunity to participate in secondary employment, subject to the department's right to restrict employment in such areas wherein a conflict of interest would exist. Such types of employment where a conflict could reasonably be determined to exist must be narrowly construed and delineated.

j. No officer shall be required or requested, for purposes of assignment or other personnel action, to disclose any item of his property income, assets, source of income, debts or personal or domestic expenditures (including those of any member of his family or household), unless such information is obtained under proper legal procedure or tends to indicate a conflict of interest with respect to the performance of his official duties.

3. OBLIGATION TO MEET AND CONFER

a. Except as to wages and employment conditions specifically governed by the Charter of the City and County of San Francisco, the Employer and the Association, through their duly authorized representatives, hereby agree to meet and confer in good faith with each other as to all matters relating to the employment conditions of the sworn personnel of the San Francisco Police Department, hereinafter referred to as the Department.

b. Unless and until agreement is reached through the meet and confer process, or a determination is made through the impasse procedure hereinafter provided, no existing benefit or employment condition applicable to the said sworn personnel shall be changed or eliminated.

c. The Employer and the Association recognize their mutual obligation to meet and confer in good faith promptly upon request by either party, for a period not to exceed (60) days, in order to exchange freely information, opinions and proposals, and to endeavor to reach agreement on matters pertaining to the terms and conditions of employment of the sworn personnel.

SECTION 4. IMPASSE PROCEDURE.

a. Pursuant to the grant of authority set forth in paragraph (d) of Section 3507 of the Government Code of the State of California, the parties agree that all unresolved issued between the parties relating to employment conditions, including grievances, but excluding disciplinary proceedings shall upon the request of either party hereto, be submitted to an impartial arbitrator for final and binding determination. Provided that before proceeding to arbitration both parties agree to meet mutually with the Mayor in order to attempt to resolve the impasse.

b. The parties shall attempt to agree upon the impartial arbitrator provided for herein, but in the event they are unable to do so within five (5) days, then the American Arbitration Association shall be requested to nominate five (5) persons all of whom shall be residents of California, qualified and experienced as labor arbitrators. If the parties cannot agree on one (1) of the five (5) persons named to act as arbitrator, they shall strike names from the list alternately until one name remains, and said person shall then become the arbitrator.

c. The decision of the arbitrator on any issue submitted as provided herein shall be final and binding on all parties. Any joint costs of arbitration shall be born equally by the parties.

d. The arbitrator shall base his findings, opinion and order upon the following standards:

1. The lawful authority of the Employer;
2. The interests and welfare of the public;
3. A comparison of conditions of employment of the sworn personnel of the Department with the conditions of employment of other employees performing similar services and with other employees generally in public and/or private employment in comparable communities;
4. Such other factors, not confined to the foregoing, which are normally or traditionally taken into consideration in the determination of employment conditions through voluntary collective bargaining, mediation, fact finding and arbitration between the parties, in the public service or in private employment.

In the event an Arbitrators award rendered in conformity with this agreement requires the expenditure of funds from the City Treasury, the Board of Supervisors agrees to appropriate such monies as are necessary to implement the Arbitrator's award.

SECTION 5. GRIEVANCE PROCEDURE

a. The disciplinary procedure provided for in Section 8.343 of the San Francisco Charter shall be the exclusive procedure utilized by the Employer and the Association for action taken by the Department against sworn personnel of the Department who are guilty of an offense, or violate the rules and regulations of the Department.

b. This section is designed to afford any police officer and/or the Association a procedural method by which a grievance may

be resolved in an expeditious and orderly manner and at the lowest administrative level possible.

c. A grievance is defined as any issue, real or imagined, relating to the interpretation, application or enforcement of any provisions contained in this resolution, or any dispute, complaint, problem, issue or question arising with respect to conditions of employment or employer-employee relations of any nature or kind whatsoever.

d. The steps in the procedure set forth herein shall be followed unless the Chief of Police and the grievant agree in any particular case that procedural steps should be waived or added. The time limits set forth in this grievance procedure may be extended by mutual agreement between the Chief of Police and the grievant.

i. Step 1 - Immediate Supervisor (Oral)

The officer and/or his Association representative shall explain, orally, the grievance to the appropriate immediate supervisor. The supervisor shall reach a decision and communicate it orally to the officer and/or Association representative within four (4) days from the receipt of the grievance.

ii. Step 2. - Immediate Supervisor (Written)

If the Officer is not satisfied with the decision rendered, he and/or the Association representative, shall submit the grievance in writing within five (5) days to the immediate supervisor on the employee grievance form. Said form shall be developed by the Association in consultation with the department. The immediate supervisor, after further review and discussion, shall notify the officer and/or the Association representative in writing on the grievance form of his decision and the reasons therefor within five (5) days from receipt of the written grievance.

iii. Step 3 - Chief of Police

If the grievance is not resolved or adjusted in Step 2, the officer and/or Association representative shall use the grievance form to submit the grievance to the Chief of Police or his designated agent within five (5) days after receipt of the decision by the immediate supervisor.

After review and discussion with all parties involved, the Chief of Police or his designated agent shall use the grievance form to notify the officer and/or Association representative of his decision and the reasons therefor within five (5) days from receipt of the written grievance.

iv. Step 4 - Police Commission.

If the grievance is not resolved or adjusted in Step 3, the officer and/or the Association representative shall use the grievance form to submit the grievance to the Commission within five (5) days after receipt of the decision by the Chief of Police.

After review and discussion with all parties involved, the Commission shall use the grievance form to notify the officer and/or the Association representative of their decision and the reasons therefor within ten (10) days from receipt of the written grievance.

v. Step 5 - Impasse and Arbitration Procedure.

If the grievance is not resolved or adjusted in Step 4, the grievance shall be submitted to the impasse procedure set forth in Section 4, for final and binding determination. In the event the Arbitrator determines in any case arising under this section that either party to this Resolution and Memorandum of Understanding has wilfully disregarded this Memorandum and Resolution, or any contract entered into pur-

suant to said Memorandum, then the arbitrator shall tax all costs of said grievance arbitration against that party.

e. The Association shall make available to all officers information concerning the appropriate procedural steps to be taken in individual cases.

SECTION 6. SEPARABILITY.

If any provisions of this Memorandum, or the application of such provisions to any person or circumstances shall be held invalid, the remainder of this Memorandum, or the application of such provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.

SECTION 7. EFFECTIVE DATE AND TERM.

a. This agreement shall be in full force and effect upon its execution by the parties hereto, and upon its adoption by appropriate ordinance or resolution by the Board of Supervisors of the City and County of San Francisco.

b. The term of this Agreement shall extend for three years from its effective date, subject to reopening for amendments thereto upon written notice by either party to the other ninety (90) days prior to the expiration date of the Agreement.

c. This Agreement shall be binding upon the successors in office of the parties signatory hereto.

In witness whereof, the parties hereto by their duly authorized representatives, have hereunto set their hands this _____ day of _____, 1974, in the City and County of San Francisco, State of California.

FOR THE ASSOCIATION:

SAN FRANCISCO POLICE OFFICERS ASSOCIATION

BY s/Gerald A. Crowley
Gerald A. Crowley
President

FOR THE EMPLOYER:

MAYOR, CITY AND COUNTY OF SAN FRANCISCO

BY s/Joseph L. Alioto

POLICE COMMISSION, CITY AND COUNTY
OF SAN FRANCISCO

BY s/William Hemby
William Hemby
Secretary

BY s/ Washington E. Garner, M.D.
Dr. Washington E. Garner, M.D.
President

BY s/ Marvin E. Cardoza
Marvin E. Cardoza

APPROVED:

BOARD OF DIRECTORS
SAN FRANCISCO POLICE
OFFICERS' ASSOCIATION

BY RESOLUTION ON

_____

APPROVED:
BOARD OF SUPERVISORS,
CITY AND COUNTY OF
SAN FRANCISCO

BY RESOLUTION NO._____

_____,1974

RATIFIED BY:

MEMBERSHIP
SAN FRANCISCO POLICE
OFFICERS' ASSOCIATION
BY BALLOT ON

_____1974

STATEMENT OF INTENT

It is the intent of Section 7 that this Memorandum of Understanding shall be in full force and effect upon its execution by the parties and shall remain in full force and effect for the three years immediately following execution by the parties. It is also the intent of Section 7 that ninety (90) days prior to the expiration date of this agreement any party may request in writing that meet and confer sessions be held with the other party to commence negotiating a succeeding Memorandum of Understanding.

Date: April 17, 1974

Parties: s/Washington E. Garner, M.D.

s/ Marvin E. Cardoza

s/ Gerald A. Crowley

AYES: Commissioners Cardoza, Garner

REGULAR MEETING

The members of the Commission, having been furnished with copies of the minutes of the meeting of 10 April 1974, reading of same was disposed with and the minutes were approved.

AYES: Commissioners Cardoza, Garner

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved.

282- 29th STREET - TORRANO REALTY COMPANY

a) At 282 - 29th Street, install a 22' green zone, to extend west of the east line of the building.

975 FOLSOM STREET - COLUMBIA MECHANICAL CONTRACTORS

a) At 975 Folsom Street, install an 18' yellow zone, to extend east of the west line of the building.

84 PAGE STREET & 85 LILY STREET - CALIFORNIA TROPHY & ENGRAVING CO. INC.

a) At 85 Lily Street, install an 18' yellow zone, to extend east of the west line of the building.

b) At 85 Lily Street, install an 18' yellow zone, to extend west of the east line.

c) At 84 Page Street, install a 37' green zone, to extend west of the east line of the building.

744 BRAZIL AVENUE - GROCERY STORE

a) At 744 Brazil Avenue, install a 30' yellow zone, to extend from 3' - 33' west of Athens Street.

5122 THIRD STREET - GOLDEN EAGLE LIQUORS

a) At 5122 Third Street, install a 40' green zone, to extend south of the north line of #5114 Third Street- this zone would also serve Lamar & Son Cement Masonry & Building Supplies (sales & rental agency.)

1098 TENNESSEE STREET - ST. STEVEN'S MISSIONARY BAPTIST CHURCH

a) At 1098 Tennessee Street, install a 40' white zone, to extend from 5' - 45' north of 22nd Street.

b) Permission to display portable No Parking signs in conjunction with this white zone.

1131 FOLSOM STREET - R & H REPAIRS

a) At 1131 Folsom Street, install a 25' yellow zone, to extend east of the west line of the building.

2801 JONES STREET & 520 BEACH STREET - MAISIN DEVELOPMENT CORP.

a) At 2801 Jones Street, install a 66' yellow zone, to extend from 52' - 118' north of Beach Street.

b) At approximately 520 Beach Street, install a 55' yellow zone, to extend from 10' 0 65' east of the west line of the building.

(Driveway clearances will also be painted on Jones Street and Beach Street).

2350 JERROLD AVENUE - HAWLEY FORGE CO.

a) At 2350 Jerrold Avenue, install an 18' green zone, to extend from 2' - 20' west of the east line of the building.

AYES: Commissioners Cardoza, Garner

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 410 feet of yellow, green and white zones at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Cardoza, Garner

PERMISSION TO TAKE LEAVES OF ABSENCE - APPROVED

The requests of the following named members of the Department

for permission to take Leaves of Absence were approved:

MILITARY LEAVES - WITH PAY:

a) Sergeant James Glafkides, Taraval Station, for five days, 29 April 1974 to 3 May 1974, inclusive.

b) Sergeant Victor Wode, Patrol Bureau Headquarters, for two days, 27 and 28 April 1974.

c) Police Officer Robert K. Fife, Crime Prevention Company, for six days, 27 and 28 April 1974, 1 and 2 June 1974, and 29 and 30 June 1974.

d) Police Officer Joseph M. Hession, Southern Station, for two days, 20 and 21 April 1974.

e) Police Officer Douglas W. Hosea, Crime Prevention Company, for four days, 13 and 14 April 1974, and 11 and 12 May 1974.

f) Police Officer Stephen F. Lynch, Richmond Station, for eight days, 13, 14 April 1974, 20 and 21 April 1974, 4 and 5 May 1974, and 22 and 23 June 1974.

g) Station Officer Frank J. Forencich, City Prison, for seven days, 13 April 1974 to 19 April 1974, inclusive.

h) Station Officer Robert M. Minenna, City Prison, for seven days, 2 March 1974 to 8 March 1974, inclusive.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 163-74

JEAN STRIBLING

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jean Stribling against the City and County of San Francisco in the sum of $269.30 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: 7 January 1974

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 164-74

RUBY MARKHAM AND RUBY JEAN MARKHAM, A MINOR

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Ruby Markham and Ruby Jean Markham, a minor, in the sum of $2,500.00 in Superior Court Action No. 610-678 entitled "Ruby Markham, Ruby Jean Markham, a minor, by her guardian ad litem Ruby Markham vs. City and County of San Francisco et al" as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: 23 February 1969

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 165-74

LEAVE OF ABSENCE WITH PAY PENDING HEARING OF CHARGES - APPROVED

WHEREAS, Police Officer John D. Driscoll, Central Police Station, was suspended without pay effective 0645 hours, 16 March 1974, pending hearing of the charges before the Police Commission; and

WHEREAS, Police Officer John D. Driscoll, has requested a continuance of his hearing before the Police Commission until the completion of criminal action filed against him; therefore be it

RESOLVED, that Police Officer John D. Driscoll, Central Police Station, be placed on Leave of Absence Without Pay at his request for a period of three months commencing 17 April 1974, until his hearing is held before the Police Commission.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 166-74

RESOLVED, that the request of Parking Controlman Velma J. Craib, Traffic Bureau, for an extension of Leave of Absence Without Pay from 21 April 1974 to 5 May 1974, inclusive, for the purpose of caring for her sister who is ill, be, and the same is hereby approved.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 167-74

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred

in attending the below indicated program; said expenses having been approved by the Chief of Police, be, and the same is hereby approved:

Police Officer John Marotto,) Crime Laboratory)	$717.46	(Bahn Fair Institute of (Scientific Law Enforce- (ment, Lake Tahoe, Calif- (ornia from 29 March 1974 (to 4 April 1974.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 168-74

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation Ordinance in the sum of $160,747 from any fund designated by the Mayor or Controller, and credit it to the following appropriations in the amounts indicated:

Appropriation 3.161.200.000 Contractual Services	$69,522
Appropriation 3.161.300.000 Materials and Supplies	91,225

to provide funds to cover unanticipated cost increases for postage, telephone, and fuels through the balance of this fiscal year.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 169-74

AUTHORIZING WITHDRAWAL OF FUNDS FROM POLICE OFFICERS' TRAINING FUND

RESOLVED, that the recommendation of the Chief of Police that $130.00 be withdrawn from the Police Officers' Training Fund to cover services of Retired Deputy Inspector Arthur A. Freeman of the New York Police Department to conduct a lecture on "Urban Terrorism" on 9 May 1974 and 10 May 1974, for members of this Department, be, and the same is hereby approved; and be it further

RESOLVED, that said amount be made payable to the San Francisco Police Department, and sent to Captain George Eimil, Director of Personnel.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 170-74

PERMISSION TO APPLY FOR AND ACCEPT A GRANT OF FUNDS FROM THE CALIFORNIA OFFICE OF CRIMINAL JUSTICE PLANNING.

RESOLVED, that the Police Commission does hereby authorize the San Francisco Police Department to submit an application for and accept a grant of funds from the California Office of Criminal Justice Planning, as follows:

$50,000 - For the purpose of providing funds for the "Program Design and Implementation of 9-1-1" (Universal Emergency Telephone Number) as mandated by Assembly Bill 515.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 171-74

REQUEST TO TRANSFER RESERVE FUNDS

RESOLVED, that the Controller be, and he is hereby requested to transfer reserve funds in the amount of $100,000 from Appropriation No. 3.161.110.000.000 (Permanent Salaries - Uniformed Force) to Appropriation No.3.161.113.000.000 (Extended Work Week - Uniformed Force) as authorized by Ordinance No. 304-74, August 2, 1973.

AYES: Commissioners Cardoza, Garner

TRANSFER OF TAXICAB PERMITS - APPROVED

The matter of the transfers of the right to operate a taxicab by the following named persons were called for hearing, it having been advertised in the official newspaper in accordance with the provisons of ordinance applying thereto. The transferors and transferees appeared in person and were not represented by counsel. The Commission approved the transfers of whatever rights, titles, or interests that the within-named transferors might have to operate taxicabs to the within-named transferees; said approvals contingent upon the transferees filing with the Police Commission the appropriate bonds and/or insurance policies as provided by the Police Code:

TRANSFERORS	TRANSFEREES	NO. OF PERMITS
James M. Moore 1620 Ivory Street Klamath Falls, Oregon	Frank J. Alonso 696 Orange Street Daly City, California	1
Estate of Mike Manuck 3244 Anza Street San Francisco, Calif.	Juanita R. Manuck 3244 Anza Street San Francisco, Calif.	1

AYES: Commissioners Cardoza, Garner

TRANSFER OF LIMOUSINE PERMIT - CONTINUED TWO WEEKS

The matter of the transfer of the right to operate a limousine by the following named person was called for hearing, it having been continued for one week at the Police Commission meeting of 10 April 1974. The transferor and transferee appeared in person and were not represented by counsel.

TRANSFEREE	TRANSFEROR	NO. OF PERMITS
Edward Capella 1605 Coronado Way Burlingame, Calif.	Nissim Ninio 2033 Castro Street San Francisco, Calif.	1

Mr. Bill Biggerstad of the Associated Limousine Company, appeared before the Police Commission and stated that their Board of Directors had voted on the acceptance of Mr. Nission Ninio into the Associated Limousine Company, and the vote was 8 for and 12 against his acceptance. With this in mind, the seller, Mr. Edward Capella, and the buyer, Mr. Nissim Ninio, stated that rather than go ahead and consumate the sale under these conditions, they would think it over for two (2) weeks before proceeding with the transfer. The Commission approved their request for a two weeks continuance.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 172-74

RULES AND PROCEDURES OF THE SAN FRANCISCO POLICE DEPARTMENT - AMENDED

RESOLVED, that effective 0000 hours, Thursday, 18 April 1974, the Rules and Procedures of the San Francisco Police Department are hereby amended to read as follows:

2.36 Shall maintain the following weight and physical fitness standards:

.1 All sworn members entering the department on or after March 16, 1970, shall not exceed the below-indicated maximum weight standards by more than 10% and shall meet the physical fitness standards while they are members of this department.

In regard to the weight standards, each member shall be required to be examined every six (6) months and should MEMBER fail to meet the weight required for height, MEMBER shall be given three (3) weeks to comply with said standard or face disciplinary hearing before the Police Commission.

A physical fitness test will be administered at the same time and if a member fails this test, MEMBER shall be given the opportunity to retake the test on his own time within three (3) weeks of failure. A second failure shall result in disciplinary hearing before the Police Commission.

Any waiver of the below standards must be approved by the police surgeon.

(AMENDED portion underlined)

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 173-74

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation Ordinance in the sum of $179,655 from any fund designated by the Mayor or Controller, and credit it to the following appropriations in the amounts indicated:

Appropriation No. 3.161.112.000	Holiday Pay - Uniformed Force	$160,991
Appropriation No. 3.161.112.001	Holiday Pay - Civilian	$ 18,664

to provide funds for the remaining two holidays of this fiscal year - Memorial Day, 27 May 1974, and Primary, 4 June 1974.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 174-74

AUTHORIZING ATTENDANCE OF POLICE OFFICER WILLIAM SORENSON, CRIME LABORATORY, AT THE BAHN FAIR INSTITUTE AT LAKE TAHOE, CALIFORNIA, FROM 29 APRIL 1974 TO 9 MAY 1974, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officer William Sorenson, Crime Laboratory, be detailed to attend the Bahn Fair Institute, at Lake Tahoe, California, from 29 April 1974 to 9 May 1974, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officer William Sorenson, Crime Laboratory, in a sum not to exceed $717.46 in attending this conference will be defrayed by the Police Department's Officers' Training Fund.

AYES: Commissioners Cardoza, Garner

WEEKLY SICK REPORT

Chief of Police Donald M. Scott, submitted a report of members of the department off duty due to sickness and disability for the week ending Saturday, 13 April 1974, at 2400 hours, as follows:

Daily average for the week, sick	57
Daily average for the week, disabled	51
TOTAL	108
Daily percentage for the week, sick	2.94

Daily percentage for the week, disabled 2.73

TOTAL 5.67

The report was ordered filed.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 175-74

POLICE OFFICER CLAYTON W. MATTHEWS, BUREAU OF CRIMINAL INFORMATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Clayton W. Matthews, Bureau of Criminal Information, as follows:

SPECIFICATION NO. 1

Being under the influence of intoxicating liquor to the extent of being unable to exercise police powers. (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 2

Arrested for violation of Section 23102 of the Vehicle Code. (Violation of Rule 2.13 of the Rules and Procedures of the San Francisco Police Department)

by Louis H. Feder, Captain of Police, Commanding Officer of the Bureau of Criminal Information, therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Police Officer Clayton W. Matthews, Bureau of Criminal Information, be, and the same is hereby set for Wednesday, 1 May 1974, Room 551, Hall of Justice, at 5:30 p.m.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 176-74

SERGEANT BURTON J. BISHOP, BUREAU OF CRIMINAL INFORMATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Sergeant Burton J. Bishop, Bureau of Criminal Information, as follows:

SPECIFICATION NO. 1

Being under the influence of intoxicating liquor to the extent of being unable to exercise police powers.(Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 2

Bringing discredit upon the Department. (Violation of Rule 2.13 of the Rules and Procedures of the San Francisco Police Department)

by Louis H. Feder, Captain of Police, Commanding Officer of the Bureau of Criminal Information, therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Sergeant Burton J. Bishop, Bureau of Criminal Information, be, and the same is hereby set for Wednesday, 1 May 1974, Room 551, Hall of Justice, at 5:30 p.m.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 177-74

DECISION - HEARING OF POLICE OFFICER RANDALL G. THORNE, SOUTHEAST POLICE STATION.

WHEREAS, on 15 October 1973, Captain J. William Conroy, Commanding Officer of Southeast Police Station, made and served charges against Police Officer Randall G. Thorne, Southeast Police Station, as follows:

SPECIFICATION NO. 1:

a) That the accused entered the Police Department on or about March 16, 1970;

b) That all members of the Police Department entering after March 9, 1970, must comply with Section 2.36 of the Rules and Procedures of the San Francisco Police Department;

c) That the accused is 6'1" tall and the maximum weight for which height according to Section 2.36 of the Rules and Procedures of the San Francisco Police Department is 210 lbs.;

d) That the accused reported for his semi-annual physical fitness examination May 7, 1973, and at that time was found to be 14 lbs. over weight;

e) That the accused was ordered to appear before the Police Surgeon on September 13, 1973, at which time the Police Surgeon did not grant a waiver to the weight requirements as set forth in Section 2.36 of the Rules and Procedures of the San Francisco Police Department;

f) That on September 28, 1973, the accused appeared for his semi-annual physical fitness examination and was found to be 9 lbs. overweight;

g) Because of the above stated activities, the accused did violate Section 2.36 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

"Shall maintain the following weight and physical fitness standards:

".1 The Department shall require all sworn members entering the department on or after March 16, 1970, to meet the below-indicated weight and physical fitness standards while they are members of the department.

"In regard to the weight standards, each member shall be required to be examined every six (6) months and should MEMBER fail to meet the weight required for height, MEMBER shall be given three (3) weeks to comply with said standard or face disciplinary hearing before the Police Commission.

"A physical fitness test will be administered at the same time and if a member fails this test, MEMBER shall be given the opportunity to retake the test on his own time within three (3) weeks of failure. A second failure shall result in disciplinary hearing before the Police Commission.

"Any waiver of the below standards must be approved by the police surgeon.

".2 Weight Requirements - MEN

Age 21 to 40

MINIMUM	MAXIMUM	OVER 40
"....		
"6'1" 160	210	213
".....		

"The waist measurement shall not exceed the chest measurement less three inches."

and

WHEREAS, a hearing on said charge was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, 27 February 1974, and that on Wednesday, 17 April 1974, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission has decided at this time not to issue a decision of guilt or innocence, but is ordering that Police Officer Randall G. Thorne, be re-weighed by the Department's Physical Training Officer to see if he can meet the requirements of the new rule, Rule 2.36.1 of the Rules and Procedures of the San Francisco Police Department which allows an additional 10% to the maximum physical fitness weight standards; therefore be it

RESOLVED, that it is the order of the Police Commission that if Police Officer Randall G. Thorne, after having been weighed by the Department's Physical Training Officer, conforms to the new maximum weight physical fitness standards, said charge of violation of Section 2.36 of the Rules and Procedures will be dismissed; and be it further

RESOLVED, that it is the order of the Police Commission that if Police Officer Randall G. Thorne, after having been weighed by the Department's Physical Training Officer, does not conform to the new maximum weight physical fitness standards, he shall be allowed a period of six (6) months to comply with said Physical Fitness Standards of the San Francisco Police Department.

AYES: Commissioners Cardoza, Garner

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

RESOLUTION NO. 179-74

DECISION - HEARING OF POLICE OFFICER MICHAEL MANLEY, SOUTHEAST POLICE STATION.

WHEREAS, on 2 November 1973, Captain J. William Conroy, Commanding Officer of Southeast Police Station, made and served charges against Police Officer Michael Manley, Southeast Police Station, as follows:

SPECIFICATION NO. 1:

a) That the accused entered the Police Department on April 27, 1970;

b) That all members of the Police Department entering after March 9, 1970, must comply with Section 2.36 of the Rules and Procedures of the San Francisco Police Department;

c) That the accused is 6'0" tall and the maximum weight for that height according to Section 2.36 of the Rules and Procedures of the San Francisco Police Department is 204 lbs.;

d) That on June 11, 1973, the accused at his own request reported to the Police Surgeon in order to ascertain his own proper weight limitation and at that time the Police Surgeon verified the proper weight of the

accused to be 204 lbs. and that the accused was 19 lbs. overweight;

e) That the accused requested a waiver of the weight requirements from the Police Surgeon and that said waiver was denied;

f) That on June 18, 1973, the accused agreed to appear weekly at the Police Gym to weigh in and to lose weight;

g) That between June 18 and October 31, 1973, the accused appeared only five times at the Police Gym and at no time did the accused weigh less than 223 lbs., i.e., 19 lbs. overweight;

h) That on October 31, 1973, the accused appeared for his annual physical fitness examination and was found to be 21 lbs. overweight;

i) Because of the above stated activities, the accused did violate Section 2.36 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

> "Shall maintain the following weight and physical fitness standards:
>
> ".1 The Deaprtment shall require all sworn members entering the department on or after March 16, 1970, to meet the below-indicated weight and physical fitness standards while they are members of the department.
>
> "In regard to the weight standards, each member shall be required to be examined every six (6) months and should MEMBER fail to meet the weight required for height, MEMBER shall be given three (3) weeks to comply with said standard or face disciplinary hearing before the Police Commission.
>
> "A physical fitness test will be administered at the same time and if a member fails this test, MEMBER shall be given the opportunity to retake the test on his own time within three (3) weeks of failure. A second failure shall result in disciplinary hearing before the Police Commission.
>
> "Any waiver of the below standards

must be approved by the police surgeon.

".2 Weight Requirements - MEN

Age 21 to 40

MINIMUM	MAXIMUM	OVER 40
"....		
"6'0" 156	204	207
"....		

"The waist measurement shall not exceed the chest measurement less three inches."

and

WHEREAS, a hearing on said charge was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, 27 February 1974, and that on Wendesday, 17 April 1974, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission has decided at this time not to issue a decision of guilt or innocence, but is ordering that Police Officer Michael Manley, be re-weighed by the Department's Physical Training Officer to see if he can meet the requirements of the new rule, Rule 2.36.1 of the Rules and Procedures of the San Francisco Police Department which allows an additional 10% to the maximum physical fitness weight standards; therefore be it

RESOLVED, that it is the order of the Police Commission that if Police Officer Michael Manley, after having been weighed by the Department's Physical Training Officer, conforms to the new maximum weight physical fitness standards, said charge of violation of Section 2.36 of the Rules and Procedures will be dismissed; and be it further

RESOLVED, that it is the order of the Police Commission that if Police Officer Michael Manley, after having been weighed by the Department's Physical Training Officer, does not conform to the new maximum weight physical fitness standards, he shall be allowed a period of six (6) months to comply with said physical fitness standards of the San Francisco Police Department.

AYES: Commissioners Cardoza, Garner

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

RESOLUTION NO. 180-74

DECISION - HEARING OF POLICE OFFICER RICHARD P. WALLETT, INGLESIDE POLICE STATION.

WHEREAS, on 15 October 1973, Sergeant Eugene F. Simmons, Acting Commanding Officer of the Narcotic Detail, made and served charges against Police Officer Richard P. Wallett, Ingleside Police

Station, as follows:

SPECIFICATION NO. 1:

a) That the accused entered the Police Department on or about March 16, 1970;

b) That all members of the Police Department who enter the Department after March 9, 1970, are required to comply with Section 2.36 of the Rules and Procedures of the San Francisco Police Department;

c) That on April 27, 1973, the accused reported for his semi-annual physical fitness examination in accordance with Section 2.36 of the Rules and Procedures of the San Francisco Police Department;

d) That the accused at that time was 27 lbs. overweight according to the table as set forth in Section 2.36 of said Rules and Procedures;

e) That the accused is 5'9½" which brings him within the table for those members 5'10" tall; the maximum weight for a member 5'10" is 193 lbs.;

f) That the accused was ordered to report to the police surgeon on September 13, 1973, for a physical examination and at that time the police surgeon did not grant a waiver to the weight requirements;

g) That on October 3, 1973, the accused again reported for a semi-annual physical fitness examination and was found at that time to be 29 lbs. overweight;

h) Because of the above stated activities, the accused did violate Section 2.36 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

> "Shall maintain the following weight and physical fitness standards:
>
> ".1 The Department shall require all sworn members entering the department on or after March 16, 1970, to meet the below-indicated weight and physical fitness standards while they are members of the department.
>
> "In regard to the weight standards, each member shall be required to

be examined every six (6) months and should MEMBER fail to meet the weight required for height, MEMBER shall be given three (3) weeks to comply with said standard or face disciplinary hearing before the Police Commission.

"A physical fitness test will be administered at the same time and if a member fails this test, MEMBER shall be given the opportunity to retake the test on his own time within three (3) weeks of failure. A second failure shall result in disciplinary hearing before the Police Commission.

"Any waiver of the below standards must be approved by the police surgeon.

".2 Weight Requirements - MEN

Age 21 to 40

MINIMUM		MAXIMUM	OVER 40
".....			
"5'10"	148	193	196
".....			

"The waist measurement shall not exceed the chest measurement less three inches."

and

WHEREAS, a hearing on said charge was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, 27 February 1974, and that on Wednesday, 17 April 1974, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission has decided at this time not to issue a decision of guilt or innocence, but is ordering that Police Officer Richard P. Wallett, be re-weighed by the Department's Physical Training Officer, to see if he can meet the requirements of the new rule, Rule 2.36.1 of the Rules and Procedures of the San Francisco Police Department which allows an additional 10% to the maximum physical fitness weight standards; therefore be it

RESOLVED, that it is the order of the Police Commission that if Police Officer Richard P. Wallett, after having been weighed by the Department's Physical Training Officer, conforms to the new maximum weight physical fitness standards, said charge of violation of Section 2.36 of the Rules and Procedures will be dismissed; and be it therefore

RESOLVED, that it is the order of the Police Commission that if Police Officer Richard P. Wallett, after having been weighed by the Department's Physical Training Officer, does not conform to the new

maximum weight physical fitness standards, he shall be allowed a period of six (6) months to comply with said physical fitness standards of the San Francisco Police Department.

AYES: Commissioners Cardoza, Garner

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R)

The Commission then adjourned its meeting in memory of Roland A. Petrocchi, Chief of Police, Daly City Police Department.

SECRETARY

DOCUMENTS
MAY 10 1974
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1 MAY 1974 REGULAR MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, 1 May 1974, at 1730 Hours.

Minutes

PRESENT: Commissioners Cardoza, Garner

Commissioner Garner presiding.

The members of the Commission, having been furnished with copies of the minutes of the meeting of 17 April 1974, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Cardoza, Garner

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved.

3463 - 16th STREET - SAN FRANCISCO STAINED GLASS WORKS

a) At 3463 - 16th Street, install a 20' green zone, to extend from 3' - 23' east of Dehon Street.

769- 24th AVENUE - CABRILLO ELEMENTARY SCHOOL

a) At 765 - 24th Avenue, revoke existing 40' white zone.

b) At 769 - 24th Avenue, install a 200' white bus zone, to extend north of the south property line - to be stencilled "No Parking 9 A.M. - 10 A.M. and 3 P.M. - 4 P.M., School Days."

c) Permission to display portable No Parking signs in conjunction with this white zone.

260 GOLDEN GATE AVENUE - SAN FRANCISCO FIRE DEPT.

a) At 260 Golden Gate Avenue, install a 36' red zone, to extend from 40' - 76' west of the east property line.

b) Remove parking meter GGA-234.

c) At 260 Golden Gate Avenue, add 12' red to the east end of the existing red at the east driveway, making a total of 21'.

1300 SUTTER STREET - HUGHSON FORD SALES

a) At 1300 Sutter Street, install a 90' Special Truck Loading Zone, to extend from 48' - 138' west of Van Ness - in effect 7 A.M. - 4 P.M.

b) Remove parking meter heads SUT-1306, 1308, 1310, 1314.

4399 IRVING STREET - WATER DEPT. & FIRE DEPT.

a) At 4399 Irving Street, install a 25' red zone, to extend east of 45th Avenue.

AYES: Commissioners Cardoza, Garner

REVOKED:

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 427 feet of white and green zones at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Cardoza, Garner

PERMISSION TO TAKE LEAVES OF ABSENCE - APPROVED

The requests of the following named members of the Department for permission to take Leaves of Absence were approved:

MILITARY LEAVES - WITH PAY:

a) Inspector Daniel J. Murphy, Bureau of Inspectors, for two days, 25 and 26 April 1974.

b) Sergeant Lawrence C. MacKenzie, Traffic Bureau, for two days, 6 and 7 April 1974.

c) Police Officer Theodore K. Barker, Richmond Station, for one day, 4 May 1974.

d) Police Officer John W. Bourne, Taraval Station, for two days, 9 and 10 February 1974.

e) Police Officer Dale J. Boyd, Crime Prevention Company, for two days, 27 and 28 April 1974.

f) Police Officer Daniel P. Boyd, Mission Station, for two days, 27 and 28 April 1974.

g) Police Officer Richard W. Barber, Southern Station, for two days, 27 and 28 April 1974.

h) Police Officer Gerry P. Calgaro, Central Station, for four days, 27 and 28 April 1974, and 11 and 12 May 1974.

i) Police Officer Paul G. Coupland, Jr., Park Station, for two days, 20 and 21 April 1974.

j) Police Officer Robert R. Crosat, Southeast Station, for two days, 20 and 21 April 1974.

k) Police Officer William W. Fox, Park Station, for two days, 20 and 21 April 1974.

l) Police Officer Michael J. Griffin, Richmond Station, for two days, 27 and 28 April 1974.

m) Police Officer James Hennessy, Crime Prevention Company, for twelve days, 6 May 1974 to 17 May 1974, inclusive.

n) Police Officer Robert E. Hoch, Ingleside Station, for one day, 28 April 1974.

o) Police Officer Raymond D. Kilroy, Northern Station, for two days, 27 and 28 April 1974.

p) Police Officer Clint Locy, Central Station, for two days, 27 and 28 April 1974.

q) Police Officer Albert N. Maracci, Jr., Traffic Bureau, for two days, 27 and 28 April 1974.

r) Police Officer Stephen Mattoon, Park Station, for two days, 27 and 28 April 1974.

s) Police Officer Michael F. Moysard, Crime Prevention Company, for two days, 21 and 22 April 1974.

t) Police Officer John E. Newlin, Traffic Bureau, for three days, 23 and 24 March 1974, and 20 April 1974.

u) Police Officer Michael D. Nowlin, Taraval Station, for two days, 27 and 28 April 1974.

v) Police Officer Vincent Repetto, Northern Station, for one day, 6 April 1974.

w) Police Officer Richard Sheehan, Central Station, for one day, 20 April 1974.

x) Police Officer James L. Stokes, Mission Station, for fourteen days, 28 April 1974 to 11 May 1974, inclusive.

y) Police Officer Robert G.Sudano, Ingleside Station, for two days, 20 and 21 April 1974.

z) Police Officer Gregory W. Winters, Southeast Station, for two days, 23 and 24 March 1974.

aa) Station Officer Stanley H. Gabara, Bureau of Criminal Information-Communications, for two days, 20 and 21 April 1974.

bb) Traffic Controlman Larry S. Monti, Traffic Bureau, for fifteen days, 1 June1974 to 15 June 1974, inclusive.

cc) Police Officer Raymond D. Kilroy, Northern Station, for ten days, 13 May 1974 to 24 May 1974, inclusive.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 181-74

HARLAN A. SCHRADER AND HIS ATTORNEY, SYDNEY N. TANNER, JR.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Harlan A.Schrader and his attorney, Sydney N. Tanner Jr., in the sum of $2,500 in Superior Court Action No. 598141, entitled "Harlan Schrader, Plaintiff, v. the City and County of San Francisco, etc.," as the result of a claim for damages occurring 23 January 1966, be, and the same is hereby approved.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 182-74

LEAVE OF ABSENCE WITHOUT PAY - DENIED

RESOLVED, that the request of Louise Hendleman, Parking Control-

man, for a Leave of Absence Without Pay for a period of three weeks commencing 12 May 1974, in order to take a vacation with her husband who is in the service, be, and the same is hereby denied.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 183-74

POLICE NARCOTIC FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Donald M. Scott in the sum of $4,166.00 charging same to Appropriation No. 3.161.890.050 to cover Narcotic Fund disbursements for the month of May, 1974.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 184-74

POLICE CONTINGENT FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Donald M. Scott in the sum of $3,750.00 charging same to Appropriation No. 3.161.980.000 to cover Contingent Fund disbursements for the month of May, 1974.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 185-74

REQUEST TO RELEASE UNALLOTTED FUNDS

RESOLVED, that the Controller be, and he is hereby requested to release unallotted funds in the amount of $9,304.86 from Appropriation No. 3.161.998.026.120 (San Francisco Vehicle Theft Abatement Program - Temporary Salaries) to provide funds for pending overtime payrolls with Controller's Office in connection with the Vehicle Theft Program.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 186-74

AUTHORIZING ATTENDANCE OF LIEUTENANT THOMAS DEMPSEY AND INSPECTOR WILLIAM MUSANTE, AUTO DETAIL, AT A VEHICLE THEFT COORDINATING COMMITTEE MEETING IN SACRAMENTO, CALIFORNIA, ON 16 MAY 1974, AND THE WESTERN STATES AUTO THEFT

INVESTIGATION SEMINAR AT RENO, NEVADA, ON 17 AND 18 MAY 1974.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Thomas Dempsey and Inspector William Musante, Auto Detail, be detailed to attend a Vehicle Theft Coordinating Committee Meeting in Sacramento, California, on 16 May 1974, and the Western States Auto Theft Investigation Seminar At Reno, Nevada, on 17 and 18 May 1974, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Thomas Dempsey and Inspector William Musante, Auto Detail, in a sum not to exceed $125.60 each in attending these meetings will be defrayed by the Vehicle Theft Abatement Program.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 187-74

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program; said expenses having been approved by the Chief of Police, be, and the same are hereby approved:

Sergeant Michael J. Dower, Jr.) Bureau of Special Services)	$326.00 each	(Vice School, Los Angeles (Police Department, Los (Angeles, California, from
Sergeant John A. Vannucci,) Bureau of Special Services)		(11 February 1974 to 15 (February 1974, inclusive.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 188-74

AUTHORIZING ATTENDANCE OF INSPECTORS MICHAEL J. DOWER AND WALTER H. KRACKE, FRAUD DETAIL, AT THE CALIFORNIA CHECK INVESTIGATORS TRAINING INSTITUTE AT SACRAMENTO, CALIFORNIA, FROM 22 MAY 1974 TO 24 MAY 1974, INCLUSIVE.

RESOLVED that the recommendation of the Chief of Police that Inspectors Michael J. Dower and Walter H. Kracke, Fraud Detail, be detailed to attend the California Check Investigators Training Institute, at Sacramento, California, from 22 May 1974 to 24 May 1974, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Inspectors Michael J. Dower and Walter H. Kracke, Fraud Detail, in a sum not to exceed $95.00 each in attending the Institute, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 189-74

AUTHORIZING ATTENDANCE OF LIEUTENANT PAUL A. LAWLER, INTELLIGENCE UNIT, AT THE LAW ENFORCEMENT INTELLIGENCE UNIT NATIONAL CONFERENCE AT TORONTO, CANADA, FROM 21 MAY 1974 TO 24 MAY 1974, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Paul A. Lawler, Intelligence Unit, be detailed to attend the Law Enforcement Intelligence Unit National Conference at Toronto, Canada, from 21 May 1974 to 24 May 1974, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Paul A. Lawler, Intelligence Unit, in a sum not to exceed $415.00 in attending the Conference will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Cardoza, Garner

TRANSFER OF TAXICAB PERMITS - APPROVED

The matter of the transfers of the right to operate a taxicab by the following named persons were called for hearing, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. The transferors and transferees appeared in person and were not represented by counsel. The Commission approved the transfers of whatever rights, titles, or interests that the within-named transferors might have to operate taxicabs to the within-named transferees; said approvals contingent upon the transferees filing with the Police Commission the appropriate bonds and/or insurance policies as provided by the Police Code:

TRANSFERORS	TRANSFEREES	NO. OF PERMITS
Elias Bowie 1209 Scott Street San Francisco, Calif.	Chu Ya Huang 4319 Cabrillo Street San Francisco, Calif.	1
Estate of Samuel P. Kanios 2951 South 8850 West Magna, Utah	Kathryn Karpakis 2951 South 8850 West Magna, Utah	1
Alfred C. Subee 1829 - 44th Avenue San Francisco, Calif.	James B. Gillespie 116 Adrian Avenue South San Francisco, Calif.	1

AYES: Commissioners Cardoza, Garner

TRANSFER OF LIMOUSINE PERMIT - OFF CALENDAR

The matter of the transfer of the right to operate a limousine by the following named person was called for hearing, it having been continued from the Police Commission meeting of 17 April 1974. The Transferor and Transferee appeared in person and were not represented by counsel.

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
Edward Capella	Nissim Ninio	1

160 Coronado Way
Burlingame, Calif.

2033 Castro Street
San Francisco, Calif.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 193-74

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY (JITNEY BUS PERMIT)-HEARING TO REVOKE

WHEREAS, Jesus V. Iosa, Jr., appeared before the Police Commission this date and stated that he had complied with all the requirements of the Municipal Police Code in putting his jitney bus into operation; and

WHEREAS, the Permit Bureau has verified Mr. Iosa's claim of having complied with the requirements of the Municipal Police Code in obtaining a driver for his jitney bus; therefore be it

RESOLVED, that the Police Commission hereby approves of Mr. Jesus V. Iosa, Jr., resuming operation of his jitney bus on a regular operating schedule.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 190-74

RECOMMENDATIONS OF THE AWARDS COMMITTEE - APPROVED

RESOLVED, that the following named members of the Police Department be, and they are hereby granted Awards of Valor - Bronze Medal and Meritorious Award under the provisions of Section 5.119 of the Rules and Procedures of the San Francisco Police Department as approved by the Awards Committee on Friday, 19 April 1974:

Inspector Kevin J. O'Connor.....Bronze Medal of Valor

Inspector John P. Otten.....Bronze Medal of Valor

Assistant Inspector Jeffrey C. Brosch.....Bronze Medal of Valor

Assistant Inspector Edward A. Tank.....Bronze Medal of Valor

Sergeant John P. Bulen.....Bronze Medal of Valor

Sergeant Joseph J. Cuneo.....Bronze Medal of Valor

Sergeant Anthony A. Delzompo.....Bronze Medal of Valor

Sergeant William L. Petrie.....Bronze Medal of Valor

Police Officer Glen J. Bell.....Bronze Medal of Valor

Police Officer David L. Dennis.....Bronze Medal of Valor

Police Officer Robert L. Derby.....Bronze Medal of Valor

Police Officer Joseph F. Engler.....Bronze Medal of Valor

Police Officer Joseph A. Fitzpatrick.....Bronze Medal of Valor

Police Officer Daniel J. Hance.....Bronze Medal of Valor

Police Officer Thomas M. Heffernan.....Bronze Medal of Valor

Police Officer Jeffrey C. Jenkins.....Bronze Medal of Valor

Police Officer Randall P. Kocher.....Bronze Medal of Valor

Police Officer Thomas S. Lane.....Bronze Medal of Valor

Police Officer William W. Murphy.....Bronze Medal of Valor

Police Officer Joseph J. Samson.....Bronze Medal of Valor

Police Officer James K. Simons.....Bronze Medal of Valor

Police Officer Loyce D. Tucker.....Bronze Medal of Valor

Police Officer Inge S. Underdal.....Bronze Medal of Valor

Inspector James W. Higgins.....Meritorious Conduct Award

Assistant Inspector James J. Crowley.....Meritorious Conduct Award

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 191-74

REWARDS GRANTED TO MEMBERS OF THE POLICE DEPARTMENT

WHEREAS, the following named members of the Police Department have been commended for courageous service under the provisions of Section 5.119 of the Rules and Procedures of the San Francisco Police Department at a meeting of the Police Commission held on 19 April 1974; and

WHEREAS, Chief of Police Donald M. Scott has recommended to the Police Commission that the said members be rewarded under the provisions of Section 8.405(a) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED, that Inspectors Kevin J. O'Connor and John P. Otten, Assistant Inspectors Jeffrey C. Brosch and Edward A. Tank, Sergeants John P. Bulen, Joseph J. Cuneo, Anthony A. Delzompo, and William L. Petrie, Police Officers Glen J. Bell, David L. Dennis, Robert L. Derby, Joseph F. Engler, Joseph A. Fitzpatrick, Daniel J. Hance, Thomas M. Heffernan, Jeffrey C. Jenkins, Randall P. Kocher, Thomas S. Lane, William W. Murphy, Joseph J. Samson, James K. Simons, Loyce D. Tucker, and Inge S. Underdal, be, and they are hereby awarded a Bronze Medal of Valor and granted a reward of $50.00 each as provided for under said Section of the Charter, and be it further

RESOLVED, that Inspector James W. Higgins and Assistant Inspector James J. Crowley, be, and they are hereby awarded Meritorious Awards and granted a reward of $50.00 each as provided for under said Section of the Charter.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 192-74

AMENDMENTS AND ADDITIONS TO THE RULES AND PROCEDURES OF THE SAN FRANCISCO POLICE DEPARTMENT - APPROVED

RESOLVED, that effective at 0000 hours, Thursday, 2 May 1974, the Rules and Procedures of the San Francisco Police Department are hereby amended to read as follows:

AMEND A MEMBER:

2.03 Shall at all times while on duty preserve the peace, prevent crime, detect and arrest offenders and enforce all criminal laws, penal ordinances and all laws and ordinances regulating vehicular and pedestrian traffic and travel upon public highways. While off duty, a member shall take all reasonable steps consistent with Rule 7.12 to preserve the peace, prevent crime, detect and arrest offenders and enforce all criminal laws, penal ordinances and all laws and ordinances regulating vehicular and pedestrian traffic and travel upon public highways.

(Underlined language indicates addition)

AMEND.

7.11 Shall, when ((off duty or)) on duty in civilian dress be equipped with the following:

.1 Star
.2 Revolver (2 inch permissible)
.3 Whistle
.4 Handcuffs
.5 Signal Box key
.6 Department identification card
.7 Warning card setting forth individual's legal rights

(( )) Indicates Deletion

ADD

7.12 Shall, when off duty, have the option of being equipped with the following:

.1 Star
.2 Revolver (2 inch permissible)
.3 Whistle
.4 Handcuffs
.5 Signal Box key
.6 Department identification card
.7 Warning card setting forth individual's legal rights.

ADD

2.240 Shall, upon the death of a member of his command, serve on and cooperate with the Funeral Committee.

6.302 The Funeral Committee shall recommend to the Chief all arrangements, orders, and details pertaining to the funeral.

6.310 Members of this Department appearing at a funeral in uniform in this, or any jurisdiction, while on or off duty, shall report to the officer-in-charge as designated by the Chief of Police in the uniform prescribed for the occasion. Members who do not wear uniforms on duty may join a formation in civilian dress acceptable to the officer-in-charge.

AYES: Commissioners Cardoza, Garner

WEEKLY SICK REPORT

Chief of Police Donald M. Scott, submitted a report of members of the department off duty due to sickness and disability for the week ending Saturday, 27 April, 1974, at 2400 hours, as follows:

Daily average for the week, sick	55	
Daily average for the week disabled	65	
TOTAL		120
Daily percentage for the week, sick	2.84	
Daily percentage for the week, disabled	3.49	
TOTAL		6.33

The report was ordered filed.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 194-74

POLICE OFFICER PERCY E. COOKSEY, BUREAU OF SPECIAL SERVICES

WHEREAS, on Wednesday, 28 November 1973, at 0800 hours, Donald M. Scott, Chief of Police, San Francisco Police Department, suspended from duty without pay, Police Officer Percy E. Cooksey, Bureau of Special Services, pending hearing before the Police Commission on charges to be filed against him, and

WHEREAS, on 3 December 1973, Gerald J. Shaughnessy, Captain of Police, Director of Bureau of Special Services, made and served charges against Police Officer Percy E. Cooksey, reading as follows:

SPECIFICATION NO. 1 - SECTION 2.03

Failure to prevent crime and to detect and to arrest offenders.

SPECIFICATION NO. 2 - SECTION 2.149

Soliciting and accepting compensation without permission of the Board of Police Commissioners.

SPECIFICATION NO. 3 - SECTION 2.49

Failure to truthfully answer questions by one specifically assigned by lawful authority to conduct an investigation.

SPECIFICATION NO. 4 - SECTION 2.13

Neglect of duty, misconduct, and conduct which reflected discredit upon the Department and the members thereof.

WHEREAS, the Police Commission set Wednesday, 1 May 1974, as the date for the hearing on charges filed against Police Officer Percy E. Cooksey; and

WHEREAS, Chief of Police Donald M. Scott, announced that the Police Department was in receipt of the resignation of Police Officer Percy E. Cooksey, from the San Francisco Police Department; said resignation effective 30 April 1974, which resignation was accepted with the condition that the services of Police Officer Percy E. Cooksey have been unsatisfactory and that he does not resign in good standing; therefore be it

RESOLVED, that the charges of violating the Rules and Procedures of the San Francisco Police Department filed against Police Officer Percy E. Cooksey, be, and the same are hereby continued off calendar.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 195-74

POLICE OFFICER WAYNE J. PICKERING, PARK POLICE STATION

WHEREAS, on Wednesday, 7 November 1973, Police Officer Wayne J. Pickering, Park Police Station, in a hearing before the Police Commission submitted a plea of guilty to Specification No. 1, Violation of Rule 2.36 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, it was the order of the Police Commission that for said violation, Police Officer Wayne J. Pickering, report to the Department Physical Training Officer very other week and re-appear before the Police Commission in thirteen (13) weeks with his weight conforming to the Department's requirements; and

WHEREAS, Police Officer Wayne J. Pickering, after thirteen (13) weeks, re-appeared before the Police Commission with his weight not conforming to San Francisco Police Department requirements, but did present mitigating circumstances as to why he was unable to conform and was thus given an additional twelve (12) weeks, and

WHEREAS, on Wednesday, 1 May 1974, Police Officer Wayne J. Pickering accompanied by Police Officer Joseph Mollo, the Department's Physical Training Officer, appeared before the Police Commission and verified that Officer Pickering's weight now conforms to the requirements of Rule 2.36 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Wayne J. Pickering, has now proven that he meets the requirements of Rule 2.36 of the Rules and Procedures of the San Francisco Police Department and that said charges as filed in Specification No. 1, violation of Rule 2.36, be, and the same are hereby dismissed.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 196-74

POLICE OFFICER JOHNNY J. POSTIC, JUVENILE BUREAU

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Johnny J. Bostic, Juvenile Bureau, as follows:

SPECIFICATION NO.1

Breach of the peace (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 2

Shall devote entire time and attention to police business (Violation of Section 2.29 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 3

Shall strictly obey and promptly execute the lawful orders of his superiors (Violation of Section 2.45 of the Rules and Procedures of the San Francisco Police Department)

by Captain Agustius B. Bruneman, Commanding Officer of the Juvenile Bureau.

RESOLVED, that the hearing before the Police Commission on charges filed against Police Officer Johnny J. Bostic, Juvenile Bureau, be, and the same is hereby set for Wednesday, 22 May 1974, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 197-74

HEARING OF SERGEANT BURTON J. BISHOP, BUREAU OF CRIMINAL INFORMATION

WHEREAS, the hearing of Sergeant Burton J. Bishop, Bureau of Criminal Information, was called, it having been set for this date; and

WHEREAS, Mr. William T. Beirne, Attorney for Sergeant Burton J. Bishop, Bureau of Criminal Information, appeared before the Police Commission and requested a continuance of the hearing; therefore be it

RESOLVED, that the Police Commission on the request of Mr. William T. Beirne, Attorney for Sergeant Burton J. Bishop, Bureau of

Criminal Information, does hereby continue the hearing on charges filed against him to Wednesday, 8 May 1974, at 1730 hours, in Room 551, Hall of Justice.

AYES: Commissioners Cardoza, Garner

HEARING OF POLICE OFFICER CLAYTON W. MATTHEWS, BUREAU OF CRIMINAL INFORMATION.

The hearing of Police Officer Clayton W. Matthews, Bureau of Criminal Information, was called, it having been set for this date. Police Officer Clayton W. Matthews was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1:

Being under the influence of intoxicating liquor to the extent of being unable to exercise police powers. (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 2:

Arrested for violation of Section 23102 of the Vehicle Code. (Violation of Rule 2.13 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by Captain Louis H. Feder, Commanding Officer, Bureau of Criminal Information, San Francisco Police Department.

Police Officer Clayton W. Matthews, appeared in person and was represented by Mr. John F. Dwyer, Attorney at Law.

Captain George Eimil, Director of Personnel, appeared as the Prosecutor for the Police Department.

The reading of the charges were waived.

Mr. John F. Dwyer, Attorney at Law, entered an oral plea of "No Contest" on Specification No. 1, on behalf of Police Officer Clayton W. Matthews.

Captain George Eimil, Prosecutor for the Police Department, asked that Specification No. 2 be dismissed.

Police Officer Clayton W. Matthews did not take the stand in his own behalf, but Mr. John F. Dwyer, Attorney at Law, made an oral statement on behalf of Officer Clayton W. Matthews.

The following witnesses appeared for the Prosecution, were sworn and testified:

Lieutenant Willis A. Casey, Personnel

Police Officer John F. Devine, Officer-in-Charge, Alcohol Abuse Program.

The Commission took the matter under submission and then recessed from 1805 hours to 1818 hours after which the following resolution was adopted:

RESOLUTION NO. 198-74

DECISION - HEARING OF POLICE OFFICER CLAYTON W. MATTHEWS, BUREAU OF CRIMINAL INFORMATION

WHEREAS, on 10 April 1974, Captain Louis H. Feder, Commanding Officer of the Bureau of Criminal Information, made and served charges against Police Officer Clayton W. Matthews, Bureau of Criminal Information, as follows:

SPECIFICATION NO. 1:

a) That at or about 1700 hours in the City of Pacifica the accused was operating his 1972 Pontiac automobile, license No. 073HVY;

b) That in the course of the operation of this vehicle the accused did collide with the vehicle of another;

c) Upon investigation by members of the Pacifica Police Department relative to the collision of the vehicles, it was discovered that the accused was in an intoxicated condition;

d) The accused submitted to a breathalyzer examination at the Traffic Bureau of the San Francisco Police Department where his percent of Blood Alcohol was recorded in two tests as .28 and .25;

e) Because of the above-stated conduct, the accused did violate Section 2.125 of the Rules and Procedures of the San Francisco Police Department which reads as follows:

> "Shall not, while on duty or in uniform drink any kind of intoxicating liquor or whether on or off duty be under the influence of intoxicating liquor to such an extent that he will not always be prepared to exercise police powers and be entrusted with the performance of police duty in a calm, deliberate and efficient manner."

SPECIFICATION NO. 2;

f) Paragraphs (a) through (e) are hereby incorporated as though fully set forth herein;

g) Because of the conduct of the accused in Specification No. 1, officers of the Pacifica Police Department responded and investigated the activities of the accused;

h) An officer superior to the accused from the San Francisco Police Department responded to Pacifica and investigated the activities of the accused;

i) Officers of the Pacifica Police Department caused the accused to be arrested for

violation of Section 23102 of the California Vehicle Code;

j) Reports were made by officers of the Pacifica Police Department and members of the San Francisco Police Department relative to the activities of the accused;

k) Because of the above-stated conduct the accused did violate Rule 2.13 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

> "Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, 1 May 1974, and that on Wednesday, 1 May 1974, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that said charge made and filed against Police Officer Clayton W. Matthews, Bureau of Criminal Information, as contained in Specification No. 1, is sustained by the evidence presented at the hearing and that Police Officer Clayton W. Matthews did violate Section 2.125 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, the Police Commission finds that said charge made and filed against Police Officer Clayton W. Matthews, Bureau of Criminal Information, as contained in Specification No. 2, is not sustained by the evidence presented at the hearing and that Police Officer Clayton W. Matthews did not violate Section 2.13 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Clayton W. Matthews has violated Specification No. 1, Section 2.125 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that for said violation, Police Officer Clayton W. Matthews, be suspended for Twenty-four (24) days without pay, commencing Monday, 8 April 1974

at 1700 hours, and terminating on Wednesday, 1 May 1974, at 2400 hours, and that he be placed on a one (1) year probationary status commencing Thursday, 2 May 1974, at 0000 hours, and terminating Thursday, 1 May 1975, at 2400 hours; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer Clayton W. Matthews, participate in the Police Department's Alcoholic Abuse Program and that Police Officer John F. Dev ine, Officer-in-Charge of the Alcoholic Abuse Program, report to the Police Commission every three (3) months on the condition and progress being made by Police Officer Clayton W. Matthews, with the Police Department's Alcoholic Abuse Program.

AYES: Commissioners Cardoza, Garner

Recess: 1805 hours to 1818 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

RESOLUTION NO. 199-74

POLICE OFFICER GENE P. SMITH, RICHMOND POLICE STATION

WHEREAS, the Police Surgeon, Dr. Norman H. Steiner, has placed Police Officer Gene P. Smith, off duty because of excessive weight, i.e., over three hundred (300) pounds, difficulty in breathing, problems with walking and non-cardiac chest pains; and

WHEREAS, in Dr. Steiner's opinion, because of Officer Smith's excesive weight, he is unfit for duty as a police officer, his added weight and inability to lose weight has contributed to chest pain and most recently swelling of his legs; and

WHEREAS, Chief of Police Donald M. Scott has submitted the matter to the Police Commission, requesting that the Commission recommend to the Retirement Board that Police Officer Gene P. Smith, be retired from the San Francisco Police Department because of medical reasons; therefore be it

RESOLVED, that in compliance with the provisions of Section 8.547 of the Charter of the City and County of San Francisco, the San Francisco Police Commission does hereby recommend to the San Francisco Employees' Retirement System that Police Officer Gene P. Smith be retired from the San Francisco Police Department.

AYES: Commissioners Cardoza, Garner

CHIEF OF POLICE DONALD M. SCOTT

Prior to the close of the regular business on the Police Commission Calendar, Chief of Police Donald M. Scott stated that he would comment on the recent awards given to twenty-five (25) members of the Police Force for bravery

above and beyond the call of duty by the Awards Committee at its meeting of April 19, 1974. He stated that it should be noted and that it is highly commendable that while these officers were performing the various acts of bravery, not one single injury occurred to any of the parties involved. Some of the acts in which serious injury could have occurred were officers being fired upon at point blank range and subsequently disarming the suspect without the use of their weapons. Saving persons lives who were trapped in burning vehicles, and capturing armed bank robbery suspects who were non-hesitant in their desires to fire at police officers.

AYES: Commissioners Cardoza, Garner

POLICE COMMISSIONERS MARVIN E. CARDOZA.

Commissioner Cardoza stated that he wanted to congratulate Chief Scott and other hard working members of the Police Department who were instrumental in gathering the facts that led to the arrest of several persons suspected of being the "Zebra" killers who had caused many citizens of the City to be afraid to go out of doors after dark.

The Commission then adjourned its meeting.

SECRETARY

DOCUMENTS
MAY 15 1974
SAN FRANCISCO PUBLIC LIBRARY

8 MAY 1974 REGULAR MEETING

Minutes

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, 8 May 1974, at 1730 hours.

PRESENT: Commissioners Cardoza, Garner

Commissioner Garner presiding.

The members of the Commission, having been furnished with copies of the minutes of the meeting of 1 May 1974, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Cardoza, Garner

PERMISSION TO TAKE LEAVES OF ABSENCE - APPROVED

The requests of the following named members of the Department for permission to take Leaves of Absence were approved:

MILITARY LEAVES - WITH PAY:

a) Police Officer Richard W. Barber, Southern Station, for two days, 11 and 12 May 1974.

b) Police Officer James W. Bergstrom, Northern Station, for three days, 17, 18 and 19 May 1974.

c) Police Officer Dale Boyd, Crime Prevention Company, for one day, 4 May 1974.

d) Police Officer Alex E. Fagan, Southern Station, for two days, 4 and 5 May 1974.

e) Police Officer Timothy E. Gibson, Southern Station, for two days, 4 and 5 May 1974.

f) Police Officer Paul W. Husby, Traffic Bureau, for five days, 13 May 1974 to 17 May 1974, inclusive.

g) Police Officer Stephen F. Lynch, Richmond Station, for fifteen days, 18 May 1974 to 1 June 1974, inclusive.

h) Police Officer James M. Strange, Central Station, for two days, 20 and 21 April 1974.

i) Police Officer John E. Tursi, Southeast Station; for two days, 18 and 19 May 1974.

j) Station Officer Stanley Gabara, Bureau of Criminal Information-Communications, for two days, 4 and 5 May 1974.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 200-74

WILLIE EARL CATO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Willie Earl Cato against the City and County of San Francisco in the sum of $65.00 as the result of lost property when booked, be, and the same is hereby approved.

Date of Incident: 30 January 1974

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 201-74

JOANNE MCCRACKER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joanne McCracker against the City and County of San Francisco in the sum of $132.39 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: 28 January 1974

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 202-74

JOHN F. SHINE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John F. Shine against the City and County of San Francisco in the sum of $185.55 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: 6 March 1973

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 203-74

JOHN C. BARNETT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John C. Barnett against the City and County of San Francisco in the sum of $227.40 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: 7 February 1974.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 204-74

RODNEY L. BUCKLEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rodney L. Buckley against the City and County of San Francisco in the sum of $73.03 as the result of auto damage, be, and the same is hereby approved.

Date of Incident: 6 February 1974.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 205-74

BENJAMIN OPORTO

RESOLVED, that the recommendation of the City Attorney for settlement of unlitigated claim of Benjamin Oporto against the City and County of San Francisco in the sum of $823.50 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: 7 February 1974

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 206-74

REQUEST FOR A LEAVE OF ABSENCE WITHOUT PAY - APPROVED

RESOLVED, that the request of Parking Controlman Betty J. Armbruster, Traffic Bureau, for permission to take a Leave of Absence

Without Pay commencing Wednesday, 12 June 1974 and terminating Tuesday, 2 July 1974, in order to be married, be, and the same is hereby approved.

AYES: Commissioners Cardoza, Garner

PERMISSION TO FILE CIVIL SUIT - APPROVED

The request of Senior Clerk-Stenographer Dorice Broomell, Taraval Station, for permission to file a civil suit for personal injuries sustained in an accident while off duty, be, and the same is hereby approved.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 207-74

AUTHORIZING ATTENDANCE OF LIEUTENANT RICHARD H. TRUEB AND POLICE OFFICER JEREMIAH F. O'SHEA, LEGAL OFFICE, AT THE CALIFORNIA POLICE OFFICERS ASSOCIATION CONFERENCE IN SAN DIEGO, CALIFORNIA, ON 13 AND 14 MAY 1974.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Richard H. Trueb and Police Officer Jeremiah F. O'Shea, Legal Office, be detailed to attend the California Police Officers Association Conference in San Diego, California, on 13 and 14 May 1974, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Richard H. Trueb and Police Officer Jeremiah F. O'Shea, Legal Office, in a sum not to exceed $195.00 in attending the Conference, will be defrayed by the Police Department's Travel Expense Fund.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 208-74

AUTHORIZING WITHDRAWAL OF FUNDS FROM THE ABBIE WOODWARD PARKER BEQUEST

RESOLVED, that the recommendation of the Chief of Police that $400.00 be withdrawn from the Abbie Woodward Parker Bequest, Appropriation No. 0.971.000.000, to purchase a reconditioned 16mm Projector for the Police Youth Program to replace the one that was stolen, be, and the same is hereby approved; and be it further

RESOLVED, that said amount be made payable to the San Francisco

Police Department, and sent to Sergeant Victor Macia, Juvenile Bureau, for the purchase of a reconditioned Projector.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 209-74

AUTHORIZING THE MAYOR OF THE CITY AND COUNTY OF SAN FRANCISCO TO ENTER INTO AN AMENDMENT OF THE CONTRACT WITH THE CALIFORNIA OFFICE OF CRIMINAL JUSTICE PLANNING FOR A PROJECT ENTITLED "POLICE YOUTH PROGRAM."

WHEREAS, the California Office of Criminal Justice Planning, formerly the California Council on Criminal Justice, has approved an extension from June 30, 1974 to August 30, 1974, in the grant period of a three-year project which utilizes off-duty policemen for counseling in community relations; and

WHEREAS, the Honorable Board of Supervisors has previously approved this program (Resolution No. 204-73, April 5, 1973); now, therefore, be it

RESOLVED, that the Mayor be hereby authorized to enter into an amendment of said contract which extends the Grant Period of the "Police Youth Program" from June 30, 1974 to August 30, 1974, and which does not require additional funds from either the City and County of San Francisco, or the California Office of Criminal Justice Planning; and be it

FURTHER RESOLVED, that grant funds received hereunder shall not be used to supplant ongoing law enforcement purposes.

AYES: Commissioners Cardoza, Garner

TRANSFER OF TAXICAB PERMIT - APPROVED

The matter of the transfer of the right to operate a taxicab by the following named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title, or interest that the within-named transferor might have to operate a taxicab to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
James M. Moore 2079 - 46th Avenue San Francisco, Calif.	Jose Gabriel D'Encarnacao 1530 Terra Nova Pacifica, Calif.	1

AYES: Commissioners Cardoza, Garner

Appropriation No. 4.161.110.000 Permanent Salaries-Uniformed Force $23,460

Appropriation No. 4.161.863.000 Mandatory Fringe Benefits Transfer to 4.697.860.000 7,786

$31,246

to reclassify 450 Director, Bureau of Special Services, as a Q80 Captain as approved in 1973-74, and to fund in 1974-75 as a permanent position.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 213-74

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation Ordinance in the amount of $36,053 from the following appropriation numbers in the amounts shown:

Appropriation No. 4.161.110.001	Permanent Salaries-Civilians	$29,128
Appropriation No. 4.161.863.000	Mandatory Fringe Benefits	
	Transfer from 4.697.860.000	3,734
	Transfer from 4.123.862.000	1,704
	Any available fund designated by Mayor or Controller	1,487
		$36,053

and credit it to the following appropriations in the amounts indicated:

Appropriation No. 4.161.110.001	Permanent Salaries - Civilian	$30,381
Appropriation No. 4.161.863.000	Mandatory Fringe Benefits	
	Transfer to 4.697.860.000	3,895
	Transfer to 4.123.862.000	1,777
		$36,053

to reclassify four (4) 1442 Junior Clerk Stenographers as four (4) 1424 Clerk-Typists to be assigned to the Bureau of Criminal Information.

AYES: Commissioners Cardoza, Garner

WEEKLY SICK REPORT

Chief of Police Donald M. Scott, submitted a report of members of the department off duty due to sickness and disability for the week ending 4 May 1974, at 2400 hours, as follows:

Daily average for the week, sick	41	
Daily average for the week, disabled	63	
TOTAL		104
Daily percentage for the week, sick	2.22	
Daily percentage for the week, disabled	3.36	
TOTAL		5.58

The report was ordered filed.

AYES: Commissioners Cardoza, Garner

HEARING OF SERGEANT BURTON J. BISHOP, BUREAU OF CRIMINAL INFORMATION

The hearing of Sergeant Burton J. Bishop, Bureau of Criminal Information, was called, it having been set for this date. Sergeant Burton J. Bishop was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1:

Being under the influence of intoxicating liquor to the extent of being unable to exercise police powers. (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 2:

Bringing discredit upon the department (Violation of Rule 2.13 of the Rules and Procedures of the San Francisco Police Department)

in a properly verified complaint by Captain Louis H. Feder, Commanding Officer, Bureau of Criminal Information, San Francisco Police Department.

Sergeant Burton J. Bishop appeared in person and was represented by Mr. William T. Beirne, Attorney at Law.

Captain George Eimil, Director of Personnel, appeared as the Prosecutor for the Police Department.

The reading of the charges were waived.

Mr. William T. Beirne, Attorney at Law, entered a written plea of "No Contest" on Specification No. 1 and Specification No. 2, on behalf of Sergeant Burton J. Bishop.

Sergeant Burton J. Bishop did not take the stand in his own behalf, but Mr. William T. Beirne, Attorney at Law, submitted Sergeant Burton J. Bishop's Personnel Record on behalf of Sergeant Burton J. Bishop.

The following witnesses appeared for the Prosecution, were sworn and testified:

Captain George Eimil, Director of Personnel
Police Officer John F. Devine, Officer-in-Charge,
Alcoholic Abuse Program.

The Commission took the matter under submission and adopted the following resolution:

RESOLUTION NO. 214-74

DECISION - HEARING OF SERGEANT BURTON J. BISHOP, BUREAU OF CRIMINAL INFORMATION.

WHEREAS, on 11 April 1974, Captain Louis H. Feder, Commanding

Officer of the Bureau of Criminal Information, made and served charges against Sergeant Burton J. Bishop, Bureau of Criminal Information, as follows:

SPECIFICATION NO. 1:

a) The accused was ordered by a superior officer to respond to the home of another member of the San Francisco Police Department to serve upon such other member papers of suspension;

b) Upon arrival at such other member's home, the accused did consume alcoholic beverages to the extent that he was unable to calmly and efficiently perform police powers;

c) Because of the above-stated conduct, the accused did violate Rule 2.125 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

> "Shall not, while on duty or in uniform, drink any kind of intoxicating liquor or whether on or off duty be under the influence of intoxicating liquor to such an extent that he will not always be prepared to exercise police powers and be entrusted with the performance of police duty in a calm, deliberate and efficient manner."

SPECIFICATION NO. 2:

d) Paragraphs (a) through (c) are hereby incorporated as though fully set forth herein;

e) Because of the above-stated conduct, members of the San Francisco Police Department, superior to the accused, conducted an investigation as to the accused's activities;

f) The accused was ordered to serve suspension papers by a member of the department; said suspension being caused by excessive consumption of alcohol;

g) The accused, himself, consumed alcohol to the extent that he brought discredit upon the department and himself and caused an investigation as to his activities;

h) The accused knows, or should know, that part of the duties of a sergeant of police is to set a model of sobriety and efficiency for his subordinates;

i) A breathalyzer test was administered by members of the San Francisco Police Department, the result of which indicates that the percent of blood alcohol was .14 and .15;

j) Because of the above-stated conduct, the accused did violate Rule 2.13 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

> "Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department though such offenses are not specifically defined or laid down in these Rules and Prcoedures shall be considered unofficerlike conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco, on Wednesday, 8 May 1974, and that on Wednesday, 8 May 1974, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that said charge made and filed against Sergeant Burton J. Bishop, Bureau of Criminal Information, as contained in Specification No. 1, is sustained by the evidence presented at the hearing and that Sergeant Burton J. Bishop did violate Section 2.125 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, the Police Commission finds that said charge made and filed against Sergeant Burton J. Bishop, Bureau of Criminal Information, as contained in Specification No. 2, is sustained by the evidence presented at the hearing and that Sergeant Burton J. Bishop did violate Section 2.13 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Sergeant Burton J. Bishop has violated Specification No. 1, Section 2.125 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that Sergeant Burton J. Bishop has violated Specification No. 2, Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that for said violations, Sergeant Burton J. Bishop, be suspended for Thirty (30)days,without pay, commencing Tuesday, 9 April 1974 at 1800 hours, and terminating on Wednesday, 8 May 1974 at 2400 hours, and that he be placed on a one (1) year probationary status commencing Thursday, 9 May 1974 at 0000 hours and terminating Friday, 9 May 1975 at 2400 hours; and be it further

RESOLVED, that it is the order of the Police Commission that Sergeant Burton J. Bishop, participate in the Police Department's Alcoholic Abuse Program and that Police Officer John F. Devine, Officer-in-Charge of the Alcoholic Abuse Program, report to the Police Commission every three (3) months on the condition and progress being made by Sergeant Burton J. Bishop, with the Police Department's Alcoholic Abuse Program.

AYES: Commissioners Cardoza, Garner

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey McTaggart, C.S.R.)

The Commission then adjourned its meeting.

SECRETARY

22 MAY 1974 ≡Minutes REGULAR MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, 22 May 1974, at 1730 hours.

DOCUMENTS
JUN 3 1974
SAN FRANCISCO PUBLIC LIBRARY

PRESENT: Commissioners Cardoza, Garner

Commissioner Garner presiding.

The members of the Commission, having been furnished with copies of the minutes of the meeting of 8 May 1974, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Cardoza, Garner

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved.

#1-21 SECOND STREET - VARIOUS

a) At #21 - Second Street, revoke the existing 71' yellow zone, which extends from 79' - 150' south of Market Street.

b) At #1-21 Second Street, install a 106' yellow zone, to extend from 10' - 116' south of Market Street.

601 FOURTH STREET - UNITED VINTNERS, INC.

a) At 601 Fourth Street, install a 37' yellow zone, to extend from 96' - 133' south of Brannan Street.

2930 OCTAVIA STREET - THE EXCELSIOR INCENSE WORKS

a) At 2930 Octavia Street, install a 19' yellow zone, to extend from 4' north to 15' south of the north property line of #2930 Octavia.

(Driveway clearances will also be provided by installing 4' of red on the south end, and 2' of red on the north end.)

2700 GOUGH STREET - THE CHAIR PLACE

a) At 2700 Gough Street, install a 19' yellow zone, to extend from 43' - 62' north of Union Street.

#1 PERSIA AVENUE - NICK'S PRODUCE

a) At #1 Persia Avenue, install a 22' yellow zone, to extend from 25' - 47' east of Mission Street.

b) Remove parking meter PER-33.

251 BALBOA STREET - P & G MARKET

a) At 251 Balboa Street, revoke the existing 39' yellow zone, and the 21' green zone.

b) At 251 Balboa Street, install a 40' green zone, to extend from 3' - 43' east of Fourth Avenue.

c) At 251 Balboa Street, install a 30' yellow zone, to extend from 62' - 92' east of Fourth Avenue.

1200 BLOCK OF FOLSOM STREET - DON WILSON COMPANY

a) At 1210 Folsom Street, revoke existing 18' green zone.

b) At 1218 Folsom Street, install an 18' yellow zone, to extend from 3' - 21' east of the east line.

c) At 1234 Folsom Street, install an 18' yellow zone, to extend from 5' east to 13' west of the east line of #1234 Folsom Street.

d) At 1245 Folsom Street, install a 20' yellow zone, to extend west of the east line.

e) At 1268 Folsom Street, install a 16' green zone, to extend from 1' east to 15' west of the east line of #1268 Folsom Street.

f) At 1274-82 Folsom Street, install a 16' yellow zone, to extend from 1' west to 15' east of the west line.

800 MASONIC AVENUE - TED'S DELICATESSEN

a) At 800 Masonic Avenue, install a 19' yellow zone, to extend from 2' - 21' south of Hayes Street.

POLK STREET - 1217, #1411, #1461 and #1515 - POLK STREET MERCHANTS ASSN.

a) At 1217 Polk Street, install a 30' Special Truck Loading Zone, to extend from 42' - 72' north of Sutter - (in effect from 7 A.M. - 1 P.M.).

b) At 1411 Polk Street, install a 30' Special Truck Loading Zone, to extend from 42' - 72' north of Pine - (in effect from 7 A.M. - 1 P.M.).

c) At 1461 Polk Street, install a 42' Special Truck Loading Zone, to extend from 3' - 45' south of California - (in effect from 7 A.M. - 1 P.M.).

d) At 1515 Polk Street, install a 45' Special Truck Loading Zone, to extend from 45' - 90' north of California - (in effect from 7 A.M. - 1 P.M.):

401 WILDE AVENUE - 1100, 1199 and 1201 SUNNYDALE AVENUE - DEPARTMENT OF PUBLIC WORKS

a) At 401 Wilde Avenue, install a 20' red zone, to extend west of Rutland.

b) At 1100 Sunnydale Avenue, install a 20' red zone, to extend west of Rey.

c) At 1199 Sunnydale Avenue, install a 30' red zone, to extend east of Garrison.

d) At 1201 Sunnydale Avenue, install a 30' red zone, to extend west of Garrison.

342 GREEN STREET - DEPARTMENT OF PUBLIC WORKS

a) At 342 Green Street, revoke existing 20' red zone, and install a 44' red zone, east of Castle Street.

188 BROMPTON AVENUE & 189 LIPPARD AVENUE - GLEN PARK ELEMENTARY SCHOOL

a) At 188 Brompton Avenue, install a 40' green zone, to extend from 36' - 76' north of Joost Avenue.

b) At 189 Lippard Avenue, extend the existing 27' yellow zone 12' on the south end, making a total of 39'; this zone will then extend from 45' - 84' north of the south line of the school yard.

#66 - 68 HAIGHT STREET - MOUNT TRINITY BAPTIST CHURCH

a) At #66- 68 Haight Street, install a 40' white zone, to extend west of the east line.

b) Permission to display portable No Parking signs in conjunction with this white zone.

398 - 29th STREET & 1599 SANCHEZ STREET - NOE VALLEY FREE STORE, INC.

a) At 398 - 29th Street, install a 40' green zone, to extend from 5' - 45' east of Sanchez Street.

b) At 1599 Sanchez Street, install a 24' green zone, to extend from 3' - 27' north of 29th Street.

1527-1537 STOCKTON STREET - HARRY YOUNG & CO.

a) At 1523 Stockton Street, revoke the existing 50' yellow zone.

b) At 1527 - 37 Stockton Street, install a 72' Special Truck Loading Zone, to extend from 63' - 135' south of Union Street - to be in effect between the hours of 7 A.M. - 6 P.M.

c) Remove parking meter head STO-1517.

916 KEARNY STREET - COLUMBUS TOWER BUILDING

a) At 916 Kearny Street, install a 30' yellow zone, to extend from 27' - 57' south of the Columbus Avenue crosswalk.

b) Remove parking meter KEA-910.

225 - 30th STREET - MISSION TERRACE CONVALESCENT HOSPITAL

a) At 225 - 30th Street, install a 21' yellow zone, to extend from 15' - 36' west of the east property line.

b) At 225 - 30th Street, revoke 19' of the existing 40' white zone; this zone to extend from 15' - 36' east of the west property line.

2398 - 18th AVENUE & 2399 - 17th AVENUE - SAFEWAY STORES, INC.

a) At 2398 - 18th Avenue, install a 72' yellow zone, to extend from 10' - 82' north of Taraval; also 6' red north of the driveway, and 9' red south of the driveway.

b) At 2399 - 17th Avenue, install an 81' yellow zone, to extend from 9' - 90' north of Taraval; also 7' red on each side of the driveway.

AYES: Commissioners Cardoza, Garner

REVOKED:

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 1,170 feet of yellow, green and white zones at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Cardoza, Garner

PERMISSION TO TAKE LEAVES OF ABSENCE - APPROVED

The requests of the following named members of the Department for permission to take Leaves of Absence were approved;

MILITARY LEAVES - WITH PAY:

a) Sergeant James Glafkides, Jr., Taraval Station, for one day, 18 May 1974.

b) Sergeant Lawrence C. MacKenzie, Traffic Bureau, for two days, 18 and 19 May 1974.

c) Sergeant Eugene F. Simmons, Narcotic Bureau, for twelve days, 10 June 1974 to 21 June 1974, inclusive.

d) Assistant Inspector Denis A. Devlin, Bureau of Inspectors, for eight days, 9, 16, 23, and 30 May 1974, and 6, 13, 20, and 27 June 1974.

e) Police Officer Philip O. Bill, Crime Prevention Company, for five days, 11, 12, 18 May 1974, 15 and 16 June 1974.

f) Police Officer Anthony Camilleri, Park Station, for two days, 18 and 19 May 1974.

g) Police Officer Michael D.Chan, Northern Station, for two days, 18 and 19 May 1974.

h) Police Officer Gregory Corrales, Narcotics Bureau, for four days, 18, 22, 23, and 24 May 1974.

i) Police Officer Paul G. Coupland, Jr., Park Station, for three days, 17, 18 and 19 May 1974.

j) Police Officer Ralph E. Domer, Southeast Station, for fourteen days, 11 May 1974 to 24 May 1974, inclusive.

k) Police Officer Michael M. Folena, Central Station, for fourteen days, 18 May 1974 to 31 May 1974, inclusive.

l) Police Officer Michael J. Griffin, Richmond Station, for fifteen days, 31 May 1974 to 14 June 1974, inclusive.

m) Police Officer Robert E. Hoch, Ingleside Station, for two days, 11 and 12 May 1974.

n) Police Officer Richard M. Huddleston, Southeast Station, for two days, 11 and 12 May 1974.

o) Police Officer Clint Locy, Central Station, for two days, 11 and 12 May 1974.

p) Police Officer George B. Mitroff, Traffic Bureau, for two days, 1 and 2 June 1974.

q) Police Officer Jody J. Moroschok, Park Station, for two days, 18 and 19 May 1974.

r) Police Officer Michael D. Nowlin, Taraval Station, for two days, 11 and 12 May 1974.

s) Police Officer David V. O'Brien, Traffic Bureau, for one day, 19 May 1974.

t) Police Officer Thomas J. Petrini, Central Station, for two days, 8 and 9 May 1974.

u) Police Officer Anthony E. Rodriguez, Ingleside Station, for two days, 11 and 12 May 1974.

v) Police Officer James M. Strange, Central Station, for three days, 10, 11 and 12 May 1974.

w) Police Officer Richard P. Wallett, Ingleside Station, for two days, 4 and 5 May 1974.

x) Police Officer Gregory Winters, Southeast Station, for two days, 18 and 19 May 1974.

y) Station Officer Robert A.Limacher, Chief's Office, for twelve days, 10 June 1974 to 21 June 1974, inclusive.

AYES; Commissioners Cardoza, Garner

RETIREMENTS:

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following named members of the Police Department:

a) Sergeant Arthur E. Dietrich, Richmond Station, for service, effective 5 May 1974.

b) Sergeant John F. Tuers, Traffic Bureau, for industrial disability, effective 5 July 1974.

The communications were ordered filed.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 215-74

VERA P. BIRDIES

RESOLVED, that the recommendation of the City Attorney for settlement of the unlitigated claim of Vera P. Birdies against the City and County of San Francisco in the sum of $801.67 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: 14 February 1974.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 216-74

JAMES E. MOORE AND HIS ATTORNEY,
STEVEN A. CHASE

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of James E. Moore in the sum of $2,500 in Superior Court Action No. 652-954 entitled "James E. Moore v. City and County of San Francisco, et al," as the result of damages sustained on 1 March 1972, be, and the same is hereby approved.

Date of Incident: 1 March 1972.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 217-74

N. R. PATEL AND HIS ATTORNEY,
LUCKE & BREWER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of N. R. Patel and his attorney, Lucke and Brewer, in the sum of $1,009.84 in Municipal Court Action No. 697-476, entitled, "N.R.Patel v. City and County of San Francisco, et al," as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: 30 May 1973

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 218-74

CALIFORNIA STATE AUTOMOBILE ASSOCIATION
AND LEWIS PERKINS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the California State Automobile Association and Lewis Perkins against the City and County of San Francisco in the sum of $252.75 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: 10 January 1974

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 219-74

ROBERT E. EARL AND LIBERTY
NATIONAL INSURANCE COMPANY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert E. Earl and the Liberty Mutual Insurance Company against the City and County of San Francisco in the sum of$200.68 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: 11 February 1974

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 220-74

STATE FARM INSURANCE AND
LEONARD E. HOPKINS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of State Farm Insurance and Leonard E. Hopkins against the City and County of San Francisco in the sum of $395.80 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: 28 January 1974

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 221-74

STATE FARM MUTUAL INSURANCE
AND JAMES DELAY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of State Farm Mutual Insurance and James DeLay against the City and County of San Francisco in the sum of $137.19 as the result of a collision with a police vehicle,be, and the same is hereby approved.

Date of Accident: 12 February 1974

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 222-74

ELLIOT ADLER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Elliot Adler against the City and County of San Francisco in the sum of $80.89 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: 14 February 1974.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 223-74

MARY HAWK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mary Hawk against the City and County of San Francisco in the sum of $494.19 as the result of auto damage, be, and the same is hereby approved.

Date of Incident: 6 February 1974

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 224-74

CHARLES B. OGDEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Charles B. Ogden against the City and County of San Francisco in the sum of $10.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: 15 February 1974

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 225-74

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation Ordinance in the amount of $51,107

from any fund designated by the Mayor or Controller, and credit it to the following appropriation in the amount indicated:

Appropriation No. 3.161.111.000 Extra Duty - Uniformed Force $51,107

to provide extra duty funds for uniform force investigative expenditures.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 226-74

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation Ordinance in the sum of $73,596 from any fund designated by the Mayor or Controller, and credit it to the following appropriations in the amounts indicated:

Appropriation No. 3.161.200.000 Contractual Services $42,346

Appropriation No. 3.161.300.000 Materials and Supplies $31,250

to cover unanticipated cost increases for Contractual Services and Materials and Supplies.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 227-74

REQUEST FOR SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Controller be, and he is hereby requested to draw a Supplemental Appropriation Ordinance from the following appropriation numbers in the amounts shown:

Appropriation No. 4.161.110.001 Permanent Salaries-Civilian $8,900.

Appropriation No. 4.161.863.000 Mandatory Fringe Benefits
Trasnfer from 4.123.862.000 $1,141.
Transfer from 4.697.860.000 $ 521.
Any fund designated by Mayor or Controller $1,952.
$12,514.

and credit it to the following appropriations in the amounts indicated:

Appropriation No. 4.161.110.001 Permanent Salaries-Civilian $10,545.

Appropriation No. 4.161.863.000 Mandatory Fringe Benefits

Transfer to 4.123.862.000	$1,352.
Transfer to 4.697.860.000	$ 617.
	$12,514.

to reclassify one (1) 8214 Parking Controlman as one (1) 1803 Police Statistical Clerk per Civil Service Commission action effective July 1, 1974.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 228-74

AUTHORIZING ATTENDANCE OF LIEUTENANT WILLIAM E. KOENIG, INSPECTORS TIMOTHY F. CASEY AND LARRY PASERO, ROBBERY DETAIL, AT THE ROBBERY INVESTIGATORS MEETING IN BAKERSFIELD, CALIFORNIA, ON 24 AND 25 MAY 1974.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant William E. Koenig, Inspectors Timothy F. Casey and Larry Pasero, Robbery Detail, be detailed to attend the Robbery Investigators Meeting in Bakersfield, California, on 24 and 25 May 1974, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant William E. Koenig, Inspectors Timothy F. Casey and Larry Pasero, Robbery Detail, in a sum not to exceed $63.00 each in attending the meeting, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 229-74

AUTHORIZING ATTENDANCE OF POLICE OFFICER JOHN F. DEVINE, PERSONNEL AND TRAINING, AT THE FOURTH ANNUAL ALCOHOLISM CONFERENCE OF THE NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM AT WASHINGTON, D.C., FROM 11 JUNE 1974 TO 16 JUNE 1974, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officer John F. Devine, Personnel and Training, be detailed to attend the Fourth Annual Alcoholism Conference of the National Institute on Alcohol Abuse and Alcoholism at Washington, D.C., from 11 June 1974 to 16 June 1974, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Police Officer John F. Devine, Personnel and Training, in a sum not to exceed $494.00 in attending the Institute will be defrayed by the Police Department's Officers' Training Fund.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 230-74

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program; said expenses having been approved by the Chief of Police, be, and the same are hereby approved:

Assistant Inspector Melville) E. Leathley, Juvenile Bureau)	$2,599.80	(Delinquency Control (Institute, University (of Southern California, (from 7 January 1974 to (15 March 1974, inclusive.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 231-74

RULES AND PROCEDURES OF THE SAN FRANCISCO POLICE DEPARTMENT -AMENDED

RESOLVED, that effective at 0000 hours, Thursday, 23 May 1974, the Rules and Procedures of the San Francisco Police Department are hereby amended to read as follows:

AMENDED

NARCOTIC AND DANGEROUS DRUG EVIDENCE

12.63 THE PROCEDURE FOR BOOKING OF NARCOTIC AND DANGEROUS DRUG EVIDENCE

1. Members shall, when narcotic and dangerous drugs are booked as evidence, place the contraband in a SEALED container SEPARATE from all other property. The container shall be sealed with wax and the signature of the booking officer shall be written across the flap. The narcotic evidence so booked shall be delivered immediately to the Crime Laboratory, Bureau of Inspectors, by the arresting officer PERSONALLY. During the hours that the Crime Laboratory is closed, the arresting officer shall PERSONALLY take the contraband and deposit it in the NARCOTIC DROP located on the 4th floor of the Hall of Justice between Rooms 435 and 437.

2. Members shall be instructed that the special 9"x12" manila envelope entitled, "Analyzed Evidence Envelope", PR 7.0.12, shall be used to forward suspected contraband to the Crime Laboratory for analysis. This envelope shall be used only for narcotic and dangerous drug evidence to the exclusion of the property envelope.

3. In the case of more than one envelope being required for contraband, the total number of packages shall be entered in the space designated, "Total packages", on each envelope used and the number of the individual envelopes shall be entered in the space designated, "package number."

4. Company Commanders shall submit a monthly report to the Crime Laboratory, Bureau of Inspectors, and the Narcotic Bureau regarding the use of these envelopes, listing defendants, date of arrests and the number of envelopes used.

5. During the evening hours when the bulk of narcotics and dangerous drugs are such that they will not fit into the narcotic drop, the Operations Center shall be notified and their assistance obtained. (See Patrol Manual IN VI 12e).

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 232-74

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY (JITNEY BUS PERMIT)-HEARING TO REVOKE

WHEREAS, the Police Commission is in receipt of a letter from Mr. Joginder Sidhu advising that he is trying to sell his permit by advertising in the local papers, and will accept any reasonable offer; and

WHEREAS, the Police Commission feels that the matter should be submitted to the Permit Bureau for a hearing and disposition; therefore be it

RESOLVED, that the Police Commission hereby orders that Mr. Sidhu's hearing to revoke his jitney bus permit, be, and the same remanded to the Police Department's Permit Bureau for subsequent hearing and disposition.

AYES: Commissioners Cardoza, Garner

WEEKLY SICK REPORT

Chief of Police Donald M. Scott, submitted a report of members of the department off duty due to sickness and disability for the week ending Saturday, May 18, 1974, at 2400 hours, as follows:

Daily average for the week, sick	45	
Daily average for the week, disabled	68	
TOTAL		113

Daily percentage for the week, sick	2.31	
Daily percentage for the week, disabled	3.65	
TOTAL		5.96

The report was ordered filed.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 233-74

AUTHORIZING ATTENDANCE OF SERGEANT ELLIOTT BLACKSTONE, OFFICERS JOE WILLIAMS AND LLOYD WINSTON, COMMUNITY RELATIONS UNIT, AT THE SIXTH ANNUAL INSTITUTE ON COMMUNITY INVOLVEMENT AND THE CRIMINAL JUSTICE SYSTEM, IN POMONA, CALIFORNIA, FROM 31 MAY 1974 TO 4 JUNE 1974, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Sergeant Elliott Blackstone, Officers Joe Williams and Lloyd Winston, Community Relations Unit, be detailed to attend the Sixth Annual Institute on Community Involvement and the Criminal Justice System, in Pomona, California, from 31 May 1974 to 4 June 1974, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant Elliott Blackstone, Officers Joe Williams and Lloyd Winston, Community Relations Unit, in a sum not to exceed $125.00 each in attending the Institute will be defrayed by the Police Department's Community Relations Fund.

AYES: Commissioners Cardoza, Garner

MR. LENNEAL HENDERSON, MEMBER OF THE COMMUNITY ADVISORY BOARD OF THE POLICE MINORITY RECRUITMENT PROJECT.

Mr. Lenneal Henderson, in behalf of the Community Advisory Board of the Police Minority Recruitment Project appeared before the Police Commission and spoke of the activities and goals of the Advisory Board with the Police Minority Recruitment Project. He stated that the Community Advisory Board was made up of a cross-section of community people with various sub-committees. He called for constructive interaction involving the Police Commission, the Police Department and the Community Advisory Board in an attempt to achieve the minority recruitment objective. The Project which began in August 1973, had as its goal to recruit and prepare sixty-six (66) minority persons to take and pass a civil service examination for the position of Q2 Policeman of the San Francisco Police Department. Since that time, this Project has recruited and trained over one-hundred and fifty (150) such candidates who have taken other law enforcement positions in other communities because of the San Francisco Civil Service Commission's inability to hold an examination for the position of Q2 Policeman.

Mr. Yori Wada, Chairman of the Community Advisory Board of the Police Minority Recruitment Project stated that the Board has been in constant touch with the Civil Service Commission who, since 1972, has promised to hold the examination and to this date, has not met their promise. He stated that the delay is unreasonable. That San Francisco cannot afford to lose its bests candidates to other Bay Area Departments. He stated that he was calling for affirmative action from the Police Commission in the form of a Resolution directed to the Civil Service Commission urging them to immediately and without further delay, hold a civil service examination for the position of Q2 Policeman for the San Francisco Police Department.

Dr. Washington E. Garner, President of the Police Commission, then stated that a Resolution would be drafted and forwarded to the Civil Service Commission urging them to hold an examination for the position of Q2 Policeman.

RESOLUTION NO. 234-74

URGENTLY REQUESTING THE CIVIL SERVICE COMMISSION TO IMMEDIATELY PREPARE AND GIVE AN EXAMINATION FOR THE POSITION OF Q2 POLICEMAN FOR THE SAN FRANCISCO POLICE DEPARTMENT.

WHEREAS, the Civil Service Commission last held examinations for the position of Q2 Policeman commencing December 4, 1971, which resulted in their adoption of an eligibility list from said examination, on August 9, 1972, said list the whole of which has long been exhausted; and

WHEREAS, the vacancies in the San Francisco Police Department has continued to increase to where it has now reached extremely critical proportions of nearly one-hundred (100) in number with no relief in sight; and

WHEREAS, because of the growing number of vacancies, the ability of the San Francisco Police Department to provide the necessary services to the Citizens of San Francisco is sharply curtailed; therefore be it

RESOLVED, that the Police Commission does hereby urgently request that the Civil Service Commission immediately prepare and hold examinations for the position of Q2 Policeman for the San Francisco Police Department.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 235-74

POLICE OFFICER JOHN D. DRISCOLL, CENTRAL POLICE STATION.

WHEREAS, on Wednesday, 16 March 1974, at 0645 hours, Donald M. Scott, Chief of Police, San Francisco Police Department, suspended from duty without pay, Police Officer John D. Driscoll, Central Police Station, pending hearing before the Police Commission on charges to be filed against him; and

WHEREAS, on 22 March 1974, James M. Curran, Captain of Police, Commanding Officer of Central Police Station, made and served charges against Police Officer John D. Driscoll, Central Police Station, reading as follows:

SPECIFICATION NO. 1:

Unlawfully taking a life by use of a firearm (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 2:

Intoxicated to the extent of being unable to perform police duties (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department)

and

WHEREAS, the Police Commission set Wednesday, 22 May 1974 as the date for the hearing on charges filed against Police Officer John D. Driscoll, Central Police Station; and

WHEREAS, Chief of Police Donald M. Scott announced that the Police Department was in receipt of the resignation of Police Officer John D. Driscoll from the San Francisco Police Department; said resignation effective 16 May 1974, which resignation was accepted with the condition that the services of Police Officer John D. Driscoll, Central Police Station, have been unsatisfactory and that he does not resign in good standing; therefore be it

RESOLVED, that the charges of violating the Rules and Procedures of the San Francisco Police Department filed against Police Officer John D. Driscoll, be, and the same are hereby continued off calendar.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 236-74

REQUEST OF POLICE OFFICER AARON O. BARNES, CENTRAL POLICE STATION, TO APPEAL FIVE (5) DAYS SUSPENSION.

WHEREAS, a communication was received from Donald M. Scott, Chief of Police, officially notifying the Police Commission of the suspension of Police Officer Aaron O. Barnes, Central Police Station, for a period of five (5) days commencing at 0001 hours, 5 May 1974, and terminating at 0001 hours, 10 May 1974; and

WHEREAS, a communication was received from Police Officer Aaron O. Barnes, Central Police Station, requesting a hearing before the Police Commission in accordance with Section 5.160 of the Rules and Procedures of the SanFrancisco Police Department, to appeal his disciplinary suspension for a period of five (5) days by Donald M. Scott, Chief of Police; therefore be it

RESOLVED, that the request of Police Officer Aaron O. Barnes, Central Police Station, for a hearing before the Police Commission to appeal his suspension by Chief of Police Donald M. Scott for a period of five (5) days commencing at 0001 hours, 5 May 1974 and terminating at 0001 hours, 10 May 1974, be, and the same is hereby set for Wednesday, 5 June 1974 at 1730 hours, in Room 551, Hall of Justice.

AYES: Commissioners Cardoza, Garner

HEARING OF POLICE OFFICER JOHNNY J. BOSTIC, JUVENILE BUREAU

The matter of the hearing of Police Officer Johnny J. Bostic, Juvenile Bureau, was called, it having been set for this time and date.

Police Officer Johnny J. Bostic appeared in person and was represented by Mr. William T. Beirne, Attorney at Law.

Captain George Eimil, Director of Personnel, appeared as the Prosecutor for the Police Department.

The reading of the charges were waived.

Mr. William T. Beirne, Attorney at Law, entered a written plea of "Not Guilty" to Specifications No. 1, No. 2, and No. 3.

Captain George Eimil, Prosecutor for the Police Department, asked that Specification No. 1, be amended.

The following witnesses appeared for the Prosecution, were sworn and testified:

Mr. Robert L. Sanders, 741 Ashbury Street, San Francisco, Calif.
Sergeant William C. Groswird, Police Academy
Sergeant Alfred J. Palmer, Burlingame Police Department
Sergeant John F. Harrington, Internal Affairs Bureau
Lieutenant James P. Shannon, Juvenile Bureau
Lieutenant Willis Casey, Bureau of Personnel and Training

The following named witnesses appeared for the Defense, were sworn and testified:

Sergeant Stephen B. Spellman, Mission Police Station
Mr. Peter Francheski, Police Activities League Employee
Mr. John Greenberg, Director of Potrero Hill Recreation Center
Mr. Michael J. Maurer, Director Visitation Valley Community Center
Mr. Cameron Thompson, Executive Director of the Visitation and Sunnydale Recreation Centers

The following exhibits and evidence were introduced into Evidence by the Prosecution:

Exhibit No. 1	Police Youth Program Log Book Schedule.
Exhibit No. 2	Juvenile Bureau Officer's Daily Report. Dated 1/29/74.
Evidence No. 1	Two (2) reports, both Intra-Departmental Memorandums by Police Officer Johnny J. Bostic. One (1) dated 1/23/74, regarding incident at Whiskey Hill Cocktail Lounge and One (1) dated 1/24/74, regarding Doctor's Appointment.

Captain George Eimil, Director of Personnel, presented closing argument on behalf of the Prosecution.

Mr. William T. Beirne, Attorney at Law, presented closing argument on behalf of the Defense.

The Commission then took the matter under submission and adjourned the meeting at 2012 hours.

During the hearing of Police Officer
Johnny J. Bostic, the following recess
was taken:
1916 hours to 1930 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey McTaggart, C.S.R)

The Commission then adjourned its meeting.

SECRETARY

DOCUMENTS

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29 MAY 1974 Minutes REGULAR MEETING

The Police Commission of the City and County of San Francisco, met in their Chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, 29 May 1974, at 1730 hours.

PRESENT: Commissioners Cardoza, Garner

Commissioner Garner presiding.

The members of the Commission, having been furnished with copies of the minutes of the meeting of 22 May 1974, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Cardoza, Garner

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved.

5033 THIRD STREET - AMBULATORY HEALTH CARE FACILITY CORP.

a) At 5033 Third Street, revoke existing 22' white zone.

b) At 5033 Third Street, install a 28' red zone, to extend from 48' - 76' north of Revere.

c) At 5045 Third Street, install a 42' white zone, to extend from 6' - 48' north of Revere.

d) Permission to display portable No Parking signs in conjunction with this white zone.

3190 & 3198 HARRISON STREET - LECONTE SCHOOL

a) At 3150 Harrison Street, revoke existing 51' white zone.

b) At 3158 Harrison Street, revoke existing 36' yellow zone.

c) At 3198 Harrison Street, install a 48' white zone, to extend from 6' - 54' north of Precita Avenue; zone to be stencilled "No Parking - School Bus Zone - 8:00 - 9:00 A.M. and 2:30 - 3:30 P.M. School Days."

d) At 3190 Harrison Street, install a 72' white zone, to extend from 81' - 153' north of Precita Avenue; zone to be stencilled "No Parking - School Bus Zone - 8:00-9:00 A.M. and 2:30 - 3:30 P.M. School Days."

e) Permission to display portable No Parking signs in conjunction with these white zones.

745 BUCHANAN STREET - THE LIGHTHOUSE EDUCATION-DEVELOPMENT CENTER

a) At 745 Buchanan Street, revoke existing 57' white zone.

b) At 745 Buchanan Street, install a 100' white zone, to extend from 10' - 110' south of Grove Street.

c) Permission to display portable No Parking signs in conjunction with this white zone.

2191 PALOU AVENUE - HONEYWELL, INC.

a) At 2191 Palou Avenue, install a 16' green zone, to extend from 34' - 50' east of the west building line.

b) At 2191 Palou Avenue, install an 8' yellow zone, to extend from 50' - 58' east of the west building line.

3546 BALBOA STREET - SUPERIOR PALACE RESTAURANT.

a) At 3546 Balboa Street, install a 19' white zone, to extend from 7' - 26' east of 37th Avenue, - stencilled "No Parking 10:00 A.M. - 10:00 P.M.".

b) Permission to display portable No Parking signs in conjunction with this white zone - signs to read "No Parking - Passenger Zone 10:00 A.M. - 10:00 P.M.".

399 DELANO AVENUE - DOME CONSTRUCTION COMPANY

a) At 399 Delano Avenue, install a 22' yellow zone, to extend from 40' - 62' north of Ocean Avenue.

1441 POWELL STREET - ST. FRANCIS DAY HOUSE

a) At 1441 Powell Street, revoke existing 21' yellow zone.

b) At 1441 Powell Street, install a 19' white zone, to extend from 33' - 52' south of the north building line.

c) Permission to display portable No Parking signs in conjunction with this white zone.

240 VAN NESS AVENUE - SYSTEMS AND DATA PROCESSING

a) At 240 Van Ness Avenue, permission be granted to cover parking meters VAN-222 and VAN-224 when deliveries are expected.

1100 CAROLINA STREET - DEPARTMENT OF PUBLIC WORKS

a) At 1100 Carolina Street, install a 90' red zone, to extend south of 23rd Street.

AYES: Commissioners Cardoza, Garner

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 500 feet of white, yellow and green zones at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Cardoza, Garner

PERMISSION TO TAKE LEAVES OF ABSENCE - APPROVED

The requests of the following named members of the Department for permission to take Leaves of Absence were approved:

MILITARY LEAVES - WITH PAY:

a) Lieutenant Mario Amoroso, Planning and Research Bureau, for nineteen days, July 21, 1974 thru August 8, 1974.

b) Police Officer Joseph Arone, Richmond Police Station, for two days, 18 and 19 May 1974.

c) Police Officer John Bourne, Taraval Police Station, for thirteen days, June 17, 1974 thru June 29, 1974.

d) Police Officer Gabriel P. Harp, Juvenile Bureau, for fifteen days, June 15, 1974 thru June 29, 1974.

e) Police Officer Albert N. Maracci, Jr., Traffic Bureau, for two days, June 1 and 2, 1974.

f) Police Officer John E. Newlin, Traffic Bureau, for one day, 18 May 1974.

g) Police Officer Craig S. Piro, Crime Prevention Company, for two days, 23 and 24 May 1974.

h) Police Officer Richard R. Weick, Crime Prevention Company, for one day, 25 May 1974.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 237-74

RESOLVED, that the Controller be, and he is hereby requested to transfer allotted funds in the sum of $9,982 from Appropriation No. 3.161.961.000.000 (Grant Matching Fund) to Appropriation No. 3.161.961.026.000 (Vehicle Theft Abatement Program Grant Matching Funds) to provide funds for Emergency Extended Duty Payrolls in connection with the Vehicle Theft Abatement Program.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 238-74

BE IT RESOLVED, that the recommendation of the Chief of Police that the Bureau of Criminal Information, Identification Section, be authorized to destroy all police non-criminal records after they are no longer useful and criminal records when notified by the Attorney General of California, be, and the same is hereby approved; and be it further

RESOLVED, that said resolution drawn up and approved by the City Attorney is hereby forwarded to the Board of Supervisors as follows:

RESOLUTION AUTHORIZING DESTRUCTION OF CERTAIN CIMINAL AND NON-CRIMINAL INFORMATION HISTORY RECORDS RETAINED BY THE SAN FRANCISCO POLICE DEPARTMENT.

WHEREAS, the Attorney General of the State of California, has proposed a destruction schedule for criminal history information; and

WHEREAS, it is the policy of the San Francisco Police Department to retain only those criminal history records deemed necessary by the Attorney General of the State of California; and

WHEREAS, the San Francisco Police Department has no need to retain non-criminal history information in the Bureau of Criminal Information where non-criminal history information deals with persons who were unsuccessful applicants to the San Francisco Police Department, and of persons who no longer hold valid permits issued by the San Francisco Police Department; therefore be it

RESOLVED, that the San Francisco Police Department shall destroy all police non-criminal records contained in the San Francisco Police Department (Bureau of Criminal Information) when such records have been declared useless; and be it further

RESOLVED, that these records may be considered useless records when they serve no purposeful function or are of persons who are no longer employed by the San Francisco Police Department, or applicants for employment in the San Francisco Police Department who were unsuccessful, and of those persons who no longer hold permits issued by the San Francisco Police Department; and be it further

RESOLVED, that the San Francisco Police Department, when properly notified by the Attorney General of California, shall destroy all Criminal Information Records of a subject when said records of that subject are considered useless and destroyed by the Attorney General of California.

APPROVED AS TO FORM:
THOMAS M. O'CONNOR, CITY ATTORNEY

APPROVED:
THE POLICE COMMISSION

Secretary

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 239-74

AUTHORIZING ACCEPTANCE BY THE SAN FRANCISCO POLICE DEPARTMENT OF A SEVEN YEAR OLD GELDING HORSE NAMED "LANCE".

RESOLVED, that the recommendation of the Chief of Police that

the San Francisco Police Department be allowed to accept a seven year old gelding horse named "Lance" from Mr. Wayne Piersol, 1169 Roxanne Street, Hayward, California, to be used by the Mounted Unit for regular patrol duties, be, and the same is hereby approved.

AYES: Commissioners Cardoza, Garner

PERMISSION TO FILE CIVIL ACTION - APPROVED

The request of Sergeant Louis E. Calabro, Mission Police Station, for permission to file civil action against the City and County of San Francisco, be, and the same is hereby approved.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 240-74

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Travel Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program; said expenses having been approved by the Chief of Police, be, and the same are hereby approved:

Lieutenant Paul A. Lawler,) Intelligence Unit)	$300.00	(Course of Instruction on (Public Security, at San (Francisco, California, (from April 1, 1974 to (April 3, 1974, inclusive.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 241-74

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program; said expenses having been approved by the Chief of Police, be, and the same is hereby approved:

Lieutenant Vincent J. Senatore,) Traffic Bureau)	$166.85	(Traffic Institute, (Northwestern University, (Evanston, Illinois, from (13 September 1973 to 13 (June 1974, inclusive.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 242-74

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program; said expenses having been approved by the Chief of Police, be, and the same are hereby approved:

Captain Edward B. Cummins,) Director of Traffic)	$239	(California State Peace (Officers' Association, (San Diego, California, (from 12 May 1974 to 15 (May 1974, inclusive.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 243-74

POLICE NARCOTIC FUND

RESOLVED, that the Controller, be, and he is hereby requested to draw a voucher in favor of Chief of Police Donald M. Scott, in the sum of $4,166.00 charging same to Appropriation No. 3.161.890.050 to cover narcotic disbursements for the month of June 1974.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 244-74

POLICE CONTINGENT FUND

RESOLVED, that the Controller, be, and he is hereby requested to draw a voucher in favor of Chief of Police Donald M. Scott in the sum of $3,750.00 charging same to Appropriation No. 3.161.890.000 to cover contingent fund disbursements for the month of June 1974.

AYES: Commissioners Cardoza, Garner

TRANSFER OF LIMOUSINE PERMIT - APPROVED

The matter of the transfer of the right to operate a limousine by the following named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions

of ordinance applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title or interest the within-named transferor might have to operate a limousine to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurnce policy as provided by the Police Code:

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
Edward Capella 1605 Coronado Way Burlingame, California	Ivan J. Chiolo 44 Mt. Vernon Street San Francisco, California	1

AYES: Commissioners Cardoza, Garner

CALIFORNIA PEACE OFFICERS' TRAINING FUND

Chief of Police Donald M. Scott, officially notified the Police Commission of the receipt by the San Francisco Police Department of checks in the amounts of $63,619.02 and $1,803.70 from the California Peace Officers' Training Fund as the Police Department's reimbursement from this fund for the training of newly appointed police officers and in-service training of officers of the Department covering the third quarter apportionment for the fiscal year 1973/74.

The Police Commission acknowledged receipt of the first check in the amount of $63,619.02 which was forwarded and deposited by the Controller on May 20, 1974.

The second check in the amount of $1,803.70 is now being forwarded to the Controller for deposit in accordance with the provisions of Chapter 10, Section 10.117.3 of the Administrative Code of the City and County of San Francisco.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 245-74

RULES AND PROCEDURES OF THE SAN FRANCISCO POLICE DEPARTMENT - AMENDED

RESOLVED, that effective at 0000 hours, Thursday, 30 May 1974, the Rules and Procedures of the San Francisco Police Department are hereby amended to read as follows:

AMENDED:

5.136 A commanding officer, upon recognition of an outstanding act of police work that does not justify bringing the case before the Awards

Committee, shall prepare a report setting forth the facts on Form SFPD-62 (Captain's Commendation for Outstanding Police Work Performed). Upon approval by the Chief, this commendation shall become a permanent part of the member's service record.

(Amended portion underlined)

AYES: Commissioners Cardoza, Garner

WEEKLY SICK REPORT

Chief of Police Donald M. Scott, submitted a report of members of the Department off duty due to sickness and disability for the week ending Saturday, 25 May 1974, at 2400 hours, as follows:

Daily average for the week, sick	44	
Daily average for the week, disabled	64	
TOTAL		108
Daily percentage for the week, sick	2.25	
Daily percentage for the week, disabled	3.43	
TOTAL		5.68

The report was ordered filed.

AYES: Commissioners Cardoza, Garner

Commissioner Cardoza stated at the close of the meeting that he wanted to congratulate the Police Department on receiving a fine report about the Police Department from the Grand Jury.

The Commission then adjourned its meeting.

SECRETARY

SF Police Commission
Minutes

5 JUNE 1974 REGULAR MEETING

DOCUMENTS
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The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, 5 June 1974, at 1700 hours.

PRESENT: Commissioners Cardoza, Garner

Commissioner Garner presiding.

The members of the Commission, having been furnished with copies of the minutes of the meeting of 29 May 1974, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Cardoza, Garner.

PUBLIC HEARING TO OBTAIN COMMUNITY RESPONSE AND FEEDBACK REGARDING THE POLICE FACILITIES PLANNING PROGRAM.

Commissioner Garner stated he would like to welcome everyone to the Police Commission chambers, and in particular, he would like to extend his welcome to Mr. Newman, President of the Planning Commission, and the other Planning Commission members who were meeting with them in joint session to hear public testimony on the Police Facilities Plan. Both Commissioner Cardoza and himself, personally looked forward to hearing what the community had to say.

In light of the fact that the Planning Commission would eventually take official action on this plan, while the Police Commission may only adopt the plan as its policy, he would like to relinquish chairmanship of the joint meeting of our two Commissions to Mr. Newman, and it was with pleasure that he did so.

Mr. Newman then thanked Dr. Garner.

Mr. Newman then stated that on behalf of the Planning Commission, he would like to thank both President Garner and Commissioners Cardoza, for sharing the meeting with them and he welcomed those who had come to participate in the hearings.

The evening's joint commission meeting was the first hearing on the "Police Facilities Plan" which was presented at a joint meeting of the two commissions six weeks ago on April 25. The purpose of the meeting was to hear public comment or testimony on the draft plan. Chief Scott; Captain Sully and Police Department staff, together with Planning Department Staff, were also there last evening to listen to public testimony so that valid concerns expressed can be incorporated into the final plan recommendations. If time permitted, questions would be answered at the end of the meeting. In fairness to those who wished to speak, however, they would postpone discussion until that time.

Mr. Newman said "If you wish to speak, please fill out a

card and submit it to the staff members who are circulating in the audience, or to the Secretary of the Commission."

Mr. Newman then stated that before beginning the hearing, Mr. Jacobs has some comments. Mr. Jacobs then stated as follows:

"As Mr. Newman mentioned, on April 25 the Department of City Planning presented the draft "Police Facilities Plan" to both the Police and City Planning Commissions. The purpose of this plan, consistent with the Planning Department's Charter responsibilities, is to develop a plan and long-range improvement program for police facilities. The Police Department's Bureau of Planning and Research collaborated with us in developing this plan.

The scope of this plan was of necessity limited to police facilities, since public facilities, their location, distribution, use and design are a primary concern of the Department of City Planning. Police operations and services planning were not within the scope of this study since this is not a Charter responsibility of the Department of City Planning. However, in order to be responsive to possible changes in police operations and services, one basic objective of the facilities plan was to maintain flexibility so that future police services and operations changes can be accommodated. I feel the draft plan is responsive in this regard and a valid document that can serve as a guide for facility improvement as service changes are made.

As has been stressed, the "Police Facilities Plan" under discussion today is a proposal for citizen review, which means that both the objectives, policies, criteria and program section will be revised on the basis of comments received from individuals and community groups. After the plan has been revised, the objectives, policies and criteria section will be proposed for adoption by the City Planning Commission, and the program section will be presented for Commission endorsement. The Police Commission may adopt the revised plan and program as its policy for police facilities.

I would now like to discuss the details of the citizen review process and dissemination of plan recommendations. Since the initial public presentation of the plan on April 25, over twenty additional presentations were made throughout the community with total attendance in excess of 600 citizens. In addition, over 500 police officers have been given summary briefings on the plan content. These presentations were in response to our initial mailing of over 300 copies of the plan to our listing of community groups. At that time we indicated that staff would be pleased to present the plan at neighborhood meetings. An additional 200 copies of the plan were distributed at community meetings so that committees could be formed to study and comment on the plan. Over 200 copies have been distributed to police officers, principally at district stations. The remaining copies of our initial run of 1,000 have been distributed to individuals, our City Libraries, and the media who have given coverage to the plan.

At today's hearing, members of the staff will be taking notes on all the testimony offered. Following the final hearing, we will evaluate the comments and suggestions received. The Planning

Department will prepare a summary paper of these comments, indicate staff response to them, and recommend revisions to the plan where appropriate. This paper will form the basis for the revisions to the Plan and copies will be mailed to our listing of community groups and to those giving testimony at these hearings. The revised version of the "Police Facilities Plan" will be presented to the Police and Planning Commissions this summer for adoption at that time.

I would like to point out again that it is the objectives and policies section, the section printed on blue paper in their report, that will be revised and presented to the Planning Commission for adoption. I therefore urge you to pay particular attention to this section and to address your comments to its contents and the alternative plans and maps which will form the Police Facilities Section of the Community Facilities element of the Master Plan.

In seeking testimony on this plan, we recognize that we are dealing with a sensitive and complex community issue. The temptation to stray from the issue before us will often arise and I therefore again stress that this plan deals with the objectives, policies and criteria for the location, use, and design of police facilities within the physical and social setting of San Francisco and comments should focus on this area of concern.

As Mr. Newman indicated, if time permits, staff will be prepared to respond to issues and comments raised in the testimony. In the interest of time and fairness to those who wish to testify, we will do this at the end of the meeting when everyone has had a chance to speak.

At this time, I would like to turn the meeting back to Mr. Newman who will call on those who wish to speak."

Mr. Newman then introduced the following speakers:

Mr. John McCauley, Save Our Neighborhood
Mrs. Erikson
Mrs. Sandy Spitzer
Mrs. Henrietta Abrams
Mr. Pink Herman
Mrs. Louise Bertola
Mr. Howard Thompson
Mr. A. R. Roderick, Police Community Relations - Taraval
Mr. Julius Zamacona, Police Community Relations - Excelsior
Reverend Lyle Grosjean
Mr. Gil Brigham
Mrs. Helen Malasay
Mr. Charles Wambieke
Mr. Kamini Gupta, Mariner Association
Mr. Charles A. Thielen
Mr. Jack Tufts
Mr. Eugene K. Mayo, Police Community Relations - Mission
Mr. Lloyd Ostcader
Mrs. Ann Stanfel, Chairman, Central Cayuga Committee
Mrs. Donna Campbell
Mr. Dominic Passanisi
Mrs. Sue Passanisi

Mr. James Merjano
Reverend Larry Banks, Tree of Life Baptist Church
Mrs. Alma Liebelt
Mr. Mason Butler, Jr.
Mrs. Rachael Kivler

Mr. Jacobs, in answer to one of the speaker's questions, on how the plan was started and financed, stated that it was being paid for locally. Basically by two departments. More by the Police Department than the Planning Commission.

Commissioner Cardoza then thanked everyone for their comments and compliments. And stated that San Francisco is fortunate to have the finest Police Department in the United States and this is borne out by the fact that statistical reports consistently show marked decreases in the city's crime rate which must be attributed to the diligent efforts of the men of the San Francisco Police Department.

Mr. Newman then thanked everyone for coming and adjourned the Public Hearing on the Police Facilities Plan.

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved.

98 PERALTA AVENUE, 115 PERALTA AVENUE, 1598 YORK STREET AND 1599 YORK STREET - DEPARTMENT OF PUBLIC WORKS

a) At 98 Peralta Avenue, install a 15' red zone, to extend east of York Street.

b) At 115 Peralta Avenue, install a 40' red zone, to extend from 3' - 43' east of east line of #115 Peralta.

c) At 1598 York Street, install a 15' red zone, to extend north of Peralta Avenue.

d) At 1599 York Street, install a 25' red zone, to extend north of Peralta Avenue.

199 VICENTE STREET - DEPARTMENT OF PUBLIC WORKS

a) At 199 Vicente Street, install a 25' red zone, to extend east of Wawona Street.

120 HOWARD STREET - 198 SPEAR STREET - BOREL DEVELOPMENT COS.

a) At 120 Howard Street, install a 22' yellow zone, to extend from 3' west to 19' east of the west line of the building.

b) Remove parking meter HOW-112.

c) At 198 Spear Street, install a 30' yellow zone, to extend from 120' - 150' north of Howard Street (7' of red will also be painted south of the drive-way at this location.)

244 JACKSON STREET - WEST COAST MEDICAL GROUP

a) At 244 Jackson Street, install a 22' white zone, to extend from 90' - 112' east of Battery Street. (5 day operation).

b) Permission be granted to cover parking meter JAC-220 at the present time on Mondays, Wednesdays, and Fridays between the hours of 9 A.M - 6 P.M.,; said meter to be removed when this becomes a 5-day operation.)

c) Permission to display portable No Parking Signs in conjunction with this white zone.

1535 GRANT AVENUE - VOGUE CLEANERS

a) At 1535 Grant Avenue, install a 22' yellow zone, to extend from 7' south to 15' north of the south property line.

b) Remove parking meter GRA-1515.

5196 MISSION STREET - (SIGHT DISTANCE)

a) At 5196 Mission Street, install a 30' red zone, to extend north of Niagara Avenue.

b) Remove parking meter MIS-5148.

AYES: Commissioners Cardoza, Garner

REVOKE:

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 291 feet of yellow, white and green zones at various parts of the City at the locations submitted be, and the same are hereby approved.

AYES: Commissioners Cardoza, Garner

PERMISSION TO TAKE LEAVES OF ABSENCE - APPROVED

The requests of the following named members of the Department for permission to take Leaves of Absence were approved:

MILITARY LEAVES - WITH PAY:

a) Inspector Daniel J. Murphy, Bureau of Inspectors, for one day, 29 May 1974.

b) Police Officer Dale V. Boyd, Crime Prevention Company, for two days, 1 and 2 June 1974.

c) Police Officer Michael D. Chan, Northern Police Station, for two days, 8 and 9 June 1974.

d) Police Officer Alex E. Fagan, Southern Police Station, for two days, 1 and 2 June 1974.

e) Police Officer Raymond F. Mullane, Taraval Police Station, for two days, 8 and 9 June 1974.

f) Police Officer Warren B. Omholt, Southeast Police Station, for four days, 27 and 28 April 1974, and 9 and 10 May 1974.

g) Police Officer Thomas J. Petrini, Central Police Station, for two days, 1 and 2 June 1974.

h) Police Officer Vincent Repetto, Northern Police Station, for ten days, 18 June 1974 to 27 June 1974, inclusive.

i) Police Officer Richard P. Wallett, Ingleside Police Station, for two days, 1 and 2 June 1974.

j) Police Officer Gregory W. Winters, Southeast Police Station, for two days, 1 and 2 June 1974.

k) Police Officer James Strange, Central Police Station, for two days, 7 and 8 June 1974.

AYES: Commissioners Cardoza, Garner

RETIREMENT

Communication was received from the Retirement Board officially notifying the Police Commission of the retirement of Police Officer Raymond J. Lewis, Mission Police Station, for Industrial Disability, effective 1 December 1973.

The communication was ordered filed.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 246-74

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY LIEUTENANT RICHARD H. TRUEB AND POLICE OFFICER JEREMIAH F. O'SHEA, LEGAL OFFICE, TO ATTEND THE CALIFORNIA POLICE OFFICERS' ASSOCIATION IN SAN DIEGO, CALIFORNIA, ON 13 AND 14 MAY 1974.

WHEREAS, on the recommendation of the Chief of Police, Lieutenant Richard H. Trueb and Police Officer Jeremiah F. O'Shea, Legal Office, received permission from the Police Commission to attend the California Peace Officers' Association Conference in San Diego, California; and

WHEREAS, Lieutenant Richard H. Trueb and Police Officer Jeremiah F. O'Shea, Legal Office, did travel to San Diego, California, to attend said conference on 13 and 14 May 1974; therefore be it

RESOLVED, that expenses in the amount of $184.49 incurred by Lieutenant Richard H. Trueb, Legal Office, and $113.50 incurred by Police Officer Jeremiah F. O'Shea, Legal Office, while attending this conference are hereby approved. Expenses will be defrayed by the Contractual Services Fund.

AYES: Commissioners Cardoza, Garner

TRANSFER OF LIMOUSINE PERMIT - APPROVED

The matter of the transfer of the right to operate a limousine by the following named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. The Transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title or interest the within-named transferor might have to operate a limousine to the within-named transferee; said approval contingent upon the transferee filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
Melvin Fay 9 Mariner Lane Daly City, Calif.	Jack B. Woodall 452 Bartlett Street San Francisco, Calif.	1.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 247-74

AUTHORIZING WITHDRAWAL OF FUNDS FROM POLICE OFFICERS' TRAINING FUND.

RESOLVED, that the recommendation of the Chief of Police that $75.00 be withdrawn from the Police Officers' Training Fund to cover services of Mr. Lawrence Lawson, Criminology Department, City College, on May 7, 1974, May 28, 1974, and May 30, 1974, for lectures and consultations in connection with the 125th Police Recruit Training Class, be, and the same is hereby approved; and be it further

RESOLVED, that said amount be made payable to the San Francisco Police Department, and sent to Captain George Eimil, Director of Personnel.

AYES: Commissioners Cardoza, Garner

WEEKLY SICK REPORT.

Chief of Police Donald M. Scott, submitted a report of members of the Department off duty due to sickness and disability for the week ending Saturday, 1 June 1974, at 2400 hours, as follows:

Daily average for the week, sick	39	
Daily average for the week, disabled	59	
TOTAL		98
Daily percentage for the week, sick	1.98	
Daily percentage for the week, disabled	3.17	
TOTAL		5.15

The report was ordered filed.

AYES: Commissioners Cardoza, Garner

HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF POLICE OFFICER AARON O. BARNES, CENTRAL POLICE STATION.

The hearing of the appeal of the suspension of Police Officer Aaron O. Barnes, was called, it having been set for this date. Officer Aaron O. Barnes appeared in person and was not represented by counsel.

Captain Mortimer F. McInerney, Captain of Inspectors, appeared as Prosecutor for the Police Department.

The following named witnesses appeared for the Prosecution, were sworn and testified:

Inspector Kenneth Manley, Homicide Detail

Officer Joseph Brogi, Central Police Station

Mr. Thomas Dickerson, Medical Technician, San Francisco General Hospital

Mrs. Mary Sue Larson, Secretary, San Francisco General Hospital

Sergeant William C. Roberts, Mission Police Station

The following named witnesses appeared for the Defense, were sworn and testified:

Police Officer Aaron O. Barnes, Central Police Station

Police Officer Jesse Byrd, Traffic Bureau

The following exhibit was introduced into Evidence by the Prosecution:

Exhibit No. 1 - Sketch of portion of San Francisco General Hospital by H. Wilson, #923.

At the conclusion of the testimony the Police Commission recessed from 1940 hours to 2005 hours, after which the following resolution was adopted:

RESOLUTION NO. 248-74

DECISION - HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF POLICE OFFICER AARON O. BARNES, CENTRAL POLICE STATION.

WHEREAS, Police Officer Aaron O. Barnes, was supended without pay by the Chief of Police, pursuant to Section 8.343 of the Charter of the City and County of San Francisco and Rule 3.06 of the Rules and Procedures of the San Francisco Police Department, for a period of five (5) days effective 0001 hours, Sunday, 5 May 1974, and terminating at 0001 hours, Friday, 10 May 1974; and

WHEREAS, pursuant to Rule 5.160 of the Rules and Procedures of the San Francisco Police Department, Police Officer Aaron O. Barnes, Central Police Station, did file with the Secretary of the Police Commission, a written appeal of his suspension by the Chief of Police; and

WHEREAS, a hearing on said suspension was heard by the Police Commission on Wednesday, 5 June 1974; therefore be it

RESOLVED, that it is the decision of the Police Commission that the five (5) day suspension, without pay, of Police Officer Aaron O. Barnes, Central Police Station, by Chief of Police, be, and the same is hereby reduced to four (4) days suspension without pay by the Chief of Police; and be it further

RESOLVED, that the suspension of Police Officer Aaron O. Barnes, Central Police Station, shall be from 0001 hours, Sunday, 5 May 1974 to 0001 hours Thursday, 9 May 1974; and be it further

RESOLVED, that Police Officer Aaron O. Barnes, Central Police Station, be granted salary for the period from 0001 hours Thursday, 9 May 1974 to 0001 hours Friday, 10 May 1974.

AYES: Commissioners Cardoza, Garner

Recess taken During the
Hearing of Officer Aaron
O. Barnes:
1940 hours to 2005 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey McTaggart, C.R.S.)

The Commission then adjourned its meeting.

SECRETARY

6/14/74
c.2

19 JUNE 1974 Minutes REGULAR MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, 19 June 1974, at 1730 hours.

DOCUMENTS
JUN 21 1974
SAN FRANCISCO PUBLIC LIBRARY

PRESENT: Commissioners Cardoza, Garner

Commissioner Garner presiding.

The members of the Commission, having been furnished with copies of the minutes of the meeting of 5 June 1974, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Cardoza, Garner

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED.

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved.

1515 - 19th AVENUE - THE PACIFIC TELEPHONE & TELEGRAPH COMPANY

a) At 1515 - 19th Avenue, install a 30' yellow zone, to extend south of the north property line.

b) At 1545 - 19th Avenue, revoke previously existing 44' yellow zone.

(Also 5' red each side of driveway at #1545 - 19th Ave.)

1800 MASON STREET - LA CONTADINA DELICATESSEN

a) At 1800 Mason Street, revoke existing 21' yellow zone.

b) At 1800 Mason Street, install a 22' green zone, to extend from 9' - 31' north of Union Street.

2601 - 22nd STREET - SUN PHOTO OFFICE

a) At 2601 - 22nd Street, revoke existing 34' green zone.

b) At 2601- 22nd Street, install a 30' yellow zone, to extend from 19' - 49' west of Potrero Avenue.

(Driveway clearances will also be provided.)

498 VALENCIA STREET - WELLS FARGO BANK

a) At 498 Valencia Street, permission be granted to cover parking meter VAL-450, VAL-454, VAL-456, and VAL-458 on days that food stamps are received.

15 DUBOCE AVENUE - BELL INDUSTRIES

a) At #15 Duboce Avenue, install a 25' green zone, to extend west of the east property line.

358 BEACH STREET - THE WHARF COFFEE SHOP

a) At 358 Beach Street, install a 25' white zone, to extend from 10' - 35' east of the west line.

b) Permission to display portable No Parking signs in conjunction with this white zone.

c) At 358 Beach Street, install a 45' Special Truck Loading Zone, to extend from 35' - 80' east of the west line; zone to be in effect from 7 A.M.- 6 P.M.

(Driveway clearances will also be installed.)

AYES: Commissioners Cardoza, Garner

REVOKED:

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 199 feet of yellow, green and white zones at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Cardoza, Garner

PERMISSION TO TAKE LEAVES OF ABSENCE - APPROVED

The requests of the following named members of the Department for permission to take Leaves of Absence were approved:

MILITARY LEAVES - WITH PAY:

a) Lieutenant Nicholas N. Galousin, Ingleside Station, for eighteen days, 9, 10, 11 and 12 July 1974, 13, 14, 15 and 16 August 1974, 3, 4, 5, and 6 September 1974, 29, 30 and 31 October 1974, 1, 2, and 3 November 1974.

b) Sergeant Lawrence C. MacKenzie, Traffic Bureau, for seventeen days, 8 and 9 June 1974, 29 June 1974 to 13 July 1974, inclusive.

c) Sergeant James Glafkides, Jr., Taraval Station, for one day, 8 June 1974.

d) Assistant Inspector Robert L. Stone, Bureau of Inspectors, for sixteen days, 12 June 1974 to 27 June 1974, inclusive.

e) Police Officer Joseph Arone, Richmond Station, for two days, 8 and 9 June 1974.

f) Police Officer Ronald C. Black, Northern Station, for fifteen days, 22 June 1974 to 6 July 1974, inclusive.

g) Police Officer Daniel P. Boyd, Mission Station, for two days, 8 and 9 June 1974.

h) Police Officer Robert R. Crosat, Southeast Station, for two days, 1 and 2 June 1974.

i) Police Officer Robert L. Derby, Mission Station, for two days, 8 and 9 June 1974.

j) Police Officer Alex E. Fagan, Southern Station, for twenty-three days, 8 June 1974 to 30 June 1974, inclusive.

k) Police Officer Robert A. Fitzer, Park Station, for four days, 16, 17, 18 and 19 June 1974.

l) Police Officer Michael M. Folena, Central Station, for two days, 15 and 16 June 1974.

m) Police Officer William W. Fox, Park Station, for two days, 1 and 2 June 1974.

n) Police Officer Timothy E. Gibson, Southern Station, for two days, 8 and 9 June 1974.

o) Police Officer Robert E. Hoch, Ingleside Station, for two days, 8 and 9 June 1974.

p) Police Officer Douglas W. Hosea, Crime Prevention Company, for six days, 15 and 16 June 1974, 13 and 14 July 1974, 10 and 11 August 1974.

q) Police Officer Richard M. Huddleston, Southeast Station, for two days, 8 and 9 June 1974.

r) Police Officer Paul W. Husby, Traffic Bureau, for twelve days, 17 June 1974 to 26 June 1974, inclusive.

s) Police Officer Joseph Kennedy, Central Station, for thirteen days, 15 June 1974 to 27 June 1974, inclusive.

t) Police Officer Raymond D. Kilroy, Northern Station, for two days, 8 and 9 June 1974.

u) Police Officer Clint Locy, Central Station, for two days, 8 and 9 June 1974.

v) Police Officer David V. O'Brien, Traffic Bureau, for two days, 8 and 9 June 1974.

w) Police Officer Albert N. Maracci, Jr., Traffic Bureau, for two days, 29 and 30 June 1974.

x) Police Officer Jody J. Moroschok, Park Station, for two days, 29 and 30 June 1974.

y) Police Officer Anthony Rodriguez, Ingleside Station, for two days, 8 and 9 June 1974.

z) Police Officer James L. Stokes, Mission Station, for two days, 8 and 9 June 1974.

aa) Police Officer Robert G.Sudano, Ingleside Station, for two days, 15 and 16 June 1974.

bb) Police Officer John E. Tursi, Southeast Station, for eighteen days, 8 June 1974, 20 and 21 July 1974, 4 August 1974 to 18 August 1974, inclusive.

cc) Police Officer Vernon Ware, Southeast Station, for seventeen days, 18 July 1974 to 3 August 1974, inclusive.

dd) Police Officer Gregory W. Winters, Southeast Station, for eight days, 18 June 1974 to 25 June 1974, inclusive.

ee) Station Officer John M. Pesenti, City Prison, for four days, 25 and 26 May 1974 and 15 and 16 June 1974.

ff) Police Officer Richard W. Barber, Southern Station, for one day, 9 June 1974.

gg) Police Officer Gregory Corrales, Narcotic Bureau, for fifteen days, 6 July 1974 to 20 July 1974, inclusive.

MILITARY LEAVES - WITHOUT PAY:

hh) Police Officer Robert E. Crosat, Southeast Station, for fifteen days, 15 June 1974 to 29 June 1974, inclusive.

ii) Police Officer Paul W. Husby, Traffic Bureau, for three days, 27 June 1974 to 29 June 1974, inclusive.

jj) Police Officer Joseph Kennedy, Central Station, for two days, 28 and 29 June 1974.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 249-74

LAVERN BROOKS AND HER ATTORNEY, EDWIN TRAIN CALDWELL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lavern Brooks and her attorney, Edwin Train Caldwell, in the sum of $300.00 in Superior Court Action No. 619-615 entitled, "Lavern Brooks vs. City and County of San Francisco, et al" as the result of a claim for damages, be, and the same is hereby approved.

Date of Incident: 7 February 1970

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 250-74

JOHN P. MCCLOSKEY, ROBERT C. HANSON, LEE E. THORN, MICHAEL T. OLIVER, JAMES P. O'DONNELL, JR., DAVID I. TAM, ROBERT L. HOLDER, AND THEIR ATTORNEYS DAVID HAWI, ROBERT TREUHAFT, AND DORIS WALKER.

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of John P. McCloskey, Robert C. Hanson, Lee

E. Thorn, Michael T. Oliver, James F. O'Donnell, Jr., David I. Tam, Robert L. Holder in the sum of $3,500 in United States District Court Action for the Northern District of California, Civil Action No. C-72-1584 entitled "Vietnam Veterans Against the War,et al, v. Joseph L. Alioto, et al", as the result of a claim for damages, be, and the same is hereby approved.

Date of Incident: 24 October 1971

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 251-74

RALPH ABRAHAMIAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ralph Abrahamian against the City and County of San Francisco in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: 8 February 1974

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 252-74

DANNY BROOKS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Danny Brooks against the City and County of San Francisco in the sum of $27.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: 11 April 1974.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 253-74

CALIFORNIA STATE AUTOMOBILE ASSOCIATION
AND FRED E.HELMS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the California Station Automobile Association and Fred E. Helms against the City and County of San Francisco in the sum of $148.66 as the result of a collision with

a police vehicle be, and the same is hereby approved.

Date of Accident: 27 January 1974

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 254-74

CHESTER KURZET

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Chester Kurzet against the City and County of San Francisco in the sum of $147.50, as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: 3 February 1974

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 255-74

JOSEPH SATTLER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joseph Sattler against the City and County of San Francisco in the sum of $56.42 as the result of a collision with a police vehicle be, and the same is hereby approved.

Date of Accident: 18 December 1973

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 256-74

BOBBY SMITH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bobby Smith against the City and County of San Francisco in the sum of $15.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: 5 April 1974

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 257-74

SUSAN WELTE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Susan Welte against the City and County of San Francisco in the sum of $30.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: 22 February 1974.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 258-74

DEBORAH E. LUGO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Deborah E. Lugo against the City and County of San Francisco in the sum of $22.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: 4 April 1974.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 260-74

CABBIE L. CLEMENTS, JR.

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Cabbie L. Clements, Jr., in the sum of $350.00 in Superior Court Action No. 604565 entitled "Cabbie L. Clements, Jr., vs. City and County of San Francisco et al", as the result of damages sustained on 24 November 1968, be, and the same is hereby approved.

Date of Incident: 24 November 1968

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 261-74

KARL ANDERSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Karl Anderson against the City and County

of San Francisco in the sum of $19.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: 7 March 1974

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 259-74

REQUEST TO TRANSFER ALLOTTED FUNDS

RESOLVED, that the Controller be, and he is hereby requested to transfer allotted funds in the amount of $40,000 from Appropriation No. 3.161.300.000.000 (Materials and Supplies) to Appropriation No. 3.315.391.000.000 (Purchase of Fuels and Lubricants) for the purchase of gasoline and oil for Police Vehicles at the Hall of Justice Station.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 262-74

REQUEST TO TRANSFER RESERVE FUNDS

RESOLVED, that the Controller be, and he is hereby requested to transfer reserve funds in the sum of $100,000 from Appropriation No. 3.161.110.000.000 (Permanent Salaries - Uniformed Force) to Appropriation No. 3.161.113.000.000 (Extended Work Week - Uniformed Force) as authorized by Ordinance No. 304-73, 2 August 1973.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 263-74

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Travel Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program; said expenses having been approved by the Chief of Police, be, and the same are hereby approved:

Lieutenant Paul A. Lawler, Intelligence Unit	$415.00	(Law Enforcement Intelligence (Unit National Conference, at (Toronto, Canada, from 21 May (1974 to 24 May 1974, inclusive.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 264-74

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY INSPECTOR BEN C. LUTTRINGER, BUREAU OF INSPECTORS, TO ATTEND THE AUTO THEFT INVESTIGATORS INSTITUTE, CALIFORNIA STATE UNIVERSITY, SAN JOSE, CALIFORNIA, FOR FIVE ONE-DAY SESSIONS FROM 21 JANUARY 1974 TO 25 JANUARY 1974, INCLUSIVE.

WHEREAS, on the recommendation of the Chief of Police, Inspector Ben C. Luttringer, Bureau of Inspectors, received permission from the Police Commission to attend the Auto Theft Investigators Institute, California State University, San Jose, California; and

WHEREAS, Inspector Ben C. Luttringer, Bureau of Inspectors, did travel to San Jose, California, to attend said Institute for five one-day sessions from 21 January 1974 to 25 January 1974, inclusive; therefore be it

RESOLVED, that expenses in the amount of $85.00 incurred by Inspector Ben C. Luttringer, Bureau of Inspectors, while attending this Institute, are hereby approved. Expenses will be defrayed by the Police Department's Officers' Training Fund.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 265-74

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY SERGEANT ELLIOTT BLACKSTONE, OFFICERS JOE WILLIAMS AND LLOYD WINSTON, COMMUNITY RELATIONS UNIT, TO ATTEND THE SIXTH ANNUAL INSTITUTE ON COMMUNITY INVOLVEMENT AND THE CRIMINAL JUSTICE SYSTEM IN POMONA, CALIFORNIA, FROM 31 MAY 1974 TO 4 JUNE 1974, INCLUSIVE.

WHEREAS, on the recommendation of the Chief of Police, Sergeant Elliott Blackstone, Officers Joe Williams and Lloyd Winston, Community Relations Unit, received permission from the Police Commission to attend the Sixth Annual Institute on Community Involvement and the Criminal Justice System in Pomona, California; and

WHEREAS, Sergeant Elliott Blackstone, Officers Joe Williams and Lloyd Winston, Community Relations Unit, did travel to Pomona, California, to attend said Institute from 31 May 1974 to 4 June 1974, inclusive; therefore be it

RESOLVED, that expenses in the amount of $125.00 each incurred by Sergeant Elliott Blackstone, Officers Joe Williams and Lloyd Winston, Community Relations Unit, while attending this Institute are hereby approved. Expenses will be defrayed by the Police Department's Community Relations Fund.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 266-74

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program; said expenses having been approved by the Chief of Police, be, and the same are hereby approved:

Police Officer Robert J. Hulsey,) Crime Prevention Company)	$207.50	(Second Annual National (Explosive Ordnance Disposal Conference at (Sacramento, California, (from 17 March 1974 to (22 March 1974, inclusive.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 267-74

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF TRAVEL EXPENSES INCURRED BY INSPECTORS MICHAEL J. DOWER AND WALTER H. KRACKE, FRAUD DETAIL, TO ATTEND THE CALIFORNIA CHECK INVESTIGATORS TRAINING INSTITUTE AT SACRAMENTO, CALIFORNIA, FROM 22 MAY 1974 TO 24 MAY 1974, INCLUSIVE.

WHEREAS, on the recommendation of the Chief of Police, Inspectors Michael J. Dower and Walter H. Kracke, Fraud Detail, received permission from the Police Commission to attend the California Check Investigators Training Institute at Sacramento, California; and

WHEREAS, Inspectors Michael J. Dower and Walter H. Kracke, Fraud Detail, did travel to Sacramento, California, to attend said Institute from 22 May 1974 to 24 May 1974, inclusive; therefore be it

RESOLVED, that expenses in the amount of $95.00 each incurred by Inspectors Michael J. Dower and Walter H. Kracke, Fraud Detail, while attending this Institute are hereby approved. Expenses will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 268-74

TRAVELING EXPENSE VOUHCERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses

incurred in attending the below indicated program; said expenses having been approved by the Chief of Police, be, and the same are hereby approved:

Lieutenant Thomas G. Dempsey, Auto Detail Inspector William F. Musante, Auto Detail	$125.00 each	(Vehicle Theft Coordinators Committee Meeting at Sacramento, California, on 16 May 1974, and the Western States Auto Theft Investigation Seminar at Reno, Nevada, on 17 and 18 May 1974.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 269-74

REQUEST FOR A LEAVE OF ABSENCE WITHOUT PAY - APPROVED

RESOLVED, that the request of Assistant Inspector Leonard C. Beckum, Personnel and Training, for a leave of absence without pay for a period of one year starting 1 July 1974, to consult with the Civil Service Commission in completing the Q2 Policeman test development and to establish validation procedures, be, and the same is hereby approved.

AYES: Commissioners Cardoza, Garner

TRANSFER OF TAXICAB PERMIT - APPROVED

The matter of the transfer of the right to operate a taxicab by the following named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. The transferor and transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title, or interest that the within-named transferor might have to operate a taxicab to the within-named transferee; said approval contingent upon the transferees filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

TRANSFEROR	TRANSFEREE	NO OF PERMITS
George Manuck 3242 Anza Street San Francisco, Calif.	Luis M. Curiel 55 Fair Avenue San Francisco, Calif.	1

AYES: Commissioners Cardoza, Garner

TRANSFER OF LIMOUSINE PERMIT: - APPROVED

The matter of the transfer of the right to operate a limousine by the following named person was called for hearing, it having been advertised in the official newspaper in accordance with the provisions of ordinance applying thereto. The Transferor and Transferee appeared in person and were not represented by counsel. The Commission approved the transfer of whatever right, title or interest the within-named transferor might have to operate a limousine to the within-named transferee; said approval contingent upon the transferees filing with the Police Commission the appropriate bond and/or insurance policy as provided by the Police Code:

TRANSFEROR	TRANSFEREE	NO. OF PERMITS
Lawrence Galvin 1009 Larkin Street San Francisco, Calif.	Voncile B. Ralph 3975 - 18th Street San Francisco, Calif.	1

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 270-74

AUTHORIZING THE DEPARTMENT TO INSTITUTE A NEW SCHEDULE OF FEES FOR THE PROCESSING OF NON-CRIMINAL FINGERPRINTS.- EFFECTIVE 1 JULY 1974.

WHEREAS, the Chief of Police has recommended that the Police Commission adopt a resolution authorizing the Police Department to institute a new schedule of fees for the processing of non-criminal fingerprints; and

WHEREAS, pursuant to a letter from the Officer of General Administration, Department of Justice, Sacramento, California, whereby they are informing us that as of 1 July 1974, there will be an increase in cost for the processing of non-criminal fingerprints; therefore be it

RESOLVED, that on the recommendation of the Chief of Police, the adoption of a resolution authorizing the Police Department to institute a new schedule of fees for the processing of non-criminal fingerprints, be, and the same is hereby approved; and be it further

RESOLVED, that the new schedule of fees will be as follows:

$8.50 for non-criminal fingerprints.

AYES: Commissioners Cardoza, Garner

WEEKLY SICK REPORT

Chief of Police Donald M. Scott, submitted a report of members of the Department off duty due to sickness and disability for the week ending Saturday, 15 June 1974, at 2400 hours, as follows:

Daily average for the week, sick	39	
Daily average for the week, disabled	67	
TOTAL		106
Daily percentage for the week, sick	1.98	
Daily percentage for the week, disabled	3.59	
TOTAL		5.57

The report was ordered filed.

AYES: Commissioners Cardoza, Garner

POLICE CHIEF DONALD M. SCOTT, RE: BULLET PROOF VEST FOR MEMBERS OF THE DEPARTMENT.

Police Chief Donald M. Scott, informed the Police Commission he issued orders to the Department's Uniform and Safety Committee to hold a meeting to discuss the feasibility of providing bullet proof vests for all members of the Department. He stated that he would place the Deputy Chief in charge and he would submit a report to the Commission following the conclusion of the meeting.

AYES: Commissioners Cardoza, Garner

MS. MARGUERITE A. WARREN REGARDING ACTIVITIES OF THE BOARD OF SUPERVISORS AND THE SAN FRANCISCO POLICE DEPARTMENT.

Ms. Marguerite A. Warren appeared before the Police Commission and stated that she wanted to discuss two items. The first item she discussed had to do with the Noise Abatement Ordinance. She stated that she works at Fifth and Market and that the noise emanating from the street musicians is a violation of the Noise Abatement Ordinance. She further stated that she was not receiving any cooperation from the Police Department and that she and her fellow workers were constantly getting headaches from all the noise created by the street musicians. She stated that she planned

to go back to the Board of Supervisors and appeal to Mrs. Feinstein in hopes to put more teeth into the Noise Abatement Ordinance.

The second item that she discussed was what she considered as a lack of Public Relations Training for the young police officers in the Department. She stated that the Department needed a good teacher in public relations. She stated that a police officer should not be used for this task because he would not understand what he should be teaching. She further stated that the younger officers had been told to tone down on the minorities, so much so, that they have forgotten how to conduct themselves with the majority.

Chief Scott stated that some of Ms. Warren's points were well taken and that he had supported the Anti Noise Abatement Ordinance from the beginning. He further stated that the Majority of the men in the department are kind and compassionate and he did not feel that a majority of the men should be criticized for the alleged mistake of a few. He then stated that he would have a written response prepared for each of the items discussed by Ms. Warren at today's meeting. He also stated that if there are any inadequacies found in any of the current methods of training or of patrol, they will be immediately corrected.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 271-74

DECISION IN THE HEARING OF POLICE OFFICER JOHNNY J. BOSTIC, JUVENILE BUREAU.

WHEREAS, the decision in the hearing of Police Officer Johnny J. Bostic, Juvenile Bureau, was called, it having been set for this date; and

WHEREAS, Mr. John F. Dwyer, attorney for Police Officer Johnny J. Bostic, Juvenile Bureau, appeared before the Police Commission and requested a continuance; therefore be it

RESOLVED, that the Police Commission on the request of Mr. John F. Dwyer, Attorney for Police Officer Johnny J. Bostic, Juvenile Bureau, does hereby continue this matter to Wednesday, 26 June 1974, at 1730 hours, in Room 551, Hall of Justice.

AYES: Commissioners Cardoza, Garner

The Commission then adjourned its meeting.

Willie E. Frazier
SECRETARY

6/26/74
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- 266 -

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26 JUNE 1974 Minutes REGULAR MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, 26 June 1974, at 1730 hours.

PRESENT: Commissioners Cardoza, Garner

Commissioner Garner presiding.

The members of the Commission, having been furnished with copies of the minutes of the meeting of 19 June 1974, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Cardoza, Garner

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public street, be, and the same are hereby approved.

5250 DIAMOND HEIGHTS BOULEVARD - DEPARTMENT OF PUBLIC WORKS

a) At 5250 Diamond Heights Boulevard, install a 40' red zone, to extend west of the driveway to the Safeway parking lot.

1727 UNION STREET - STANFORD DISTRIBUTING CORP.

a) At 1727 Union Street, install a 22' yellow zone, to extend from 12' west to 10' east of the west property line of #1727.

b) Remove parking meter UN-1717.

894 FOLSOM STREET - PHILIP MAUER COMPANY

a) At 894 Folsom Street, install an 18' green zone, to extend east of the east line of #894.

301 GRANADA AVENUE - STOCKTON'S BEAUTY AND BARBER SUPPLIES

a) At 301 Granada Avenue, install a 36' yellow zone, to extend from 50' - 86' north of Ocean Avenue.

5226 MISSION STREET - SOCIAL SECURITY ADMINISTRATION OFFICE

a) At 5234 Mission Street, revoke the existing 44' yellow zone.

b) At 5226 Mission Street, install a 44' white zone, to extend from 6' - 50' south of the north line of #5226.

c) Permission to display portable No Parking signs in conjunction with this white zone.

2600 GEARY STREET & 949 & 999 PRESIDIO AVENUE - SAN FRANCISCO MUNI RAILWAY

a) At 2600 Geary Street, install an 18' red zone, west of Presidio Avenue - to provide for turning movement of buses from southbound Presidio to westbound Geary.

b) At 999 Presidio Avenue, extend existing red zone 5' on north end - to provide more clearance for passengers at this flag bus stop.

c) At 949 Presidio Avenue, install a 44' green zone, to extend from 52' - 96' north of Geary - for people visiting the office to render complaints, purchase passes, check schedules, etc. There are no time limit restrictions in this area and Muni. employees utilize all available curb space for long periods of time. Other motorists wishing to make short-time stops are forced to park a distance away.

3572 SACRAMENTO STREET - BINET-MONTESSORI SCHOOL

a) At 3572 Sacramento Street, install a 60' white zone, to extend from 4' - 64' west of the east property line.

b) Permission to display portable No Parking signs in conjunction with this white zone.

3597 TARAVAL STREET - OLYMPIC SPORTS ACADEMY

a) At 3597 Taraval Street, install a 50' white zone, to extend from 38' -88' east of 46th Avenue.

b) Permission to display portable No Parking signs in conjunction with this white zone.

AYES: Commissioners Cardoza, Garner

REVOKED:

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 352 feet of yellow and green zones at various parts of the City at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Cardoza, Garner

PERMISSION TO TAKE LEAVES OF ABSENCE - APPROVED

The requests of the following named members of the Department for permission to take Leaves of Absence were approved:

MILITARY LEAVES - WITH PAY:

a) Sergeant Walter A. Van Dehey, Southeast Station, for six days, 23 July 1974, 13 August 1974, 3 September 1974, 15 October 1974, 26 November 1974, and 17 December 1974.

b) Police Officer Robert E. Hoch, Ingleside Station, for fifteen days, 13 July 1974 to 27 July 1974, inclusive.

c) Police Officer Jody Moroschok, Bureau of Special Services, for two days, 14 and 15 June 1974.

d) Police Officer Robert G. Sudano, Ingleside Station, for twelve days, 1 July 1974 to 12 July 1974, inclusive.

e) Police Officer Richard R. Weick, Crime Prevention Company, for one day, 15 June 1974.

AYES: Commissioners Cardoza, Garner

RETIREMENT

Communication received from the Retirement Board officially notifying the Police Commission of the retirement of Police Officer Robert F. Steele, Park Police Station, for industrial disability, effective 5 July 1974.

The communications was ordered filed.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 272-74

REQUEST TO TRANSFER ALLOTTED FUNDS

RESOLVED, that the Controller be, and he is hereby requested to transfer allotted funds in the sum of $5,000 from Appropriation No. 3.161.959.000.000 (Police Officers' Training Fund) to Appropriation No. 3.161.959.111.000 (Peace Officers' Training Fund - Extra Duty) to meet outstanding payrolls pending with the Controller.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 273-74

POLICE NARCOTIC FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Donald M. Scott in the amount of $4,174 charging same to Appropriation No. 3.161.890.050 as an advance on the Police Narcotic Fund for the month of July 1974.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 274-74

POLICE CONTINGENT FUND

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Donald M. Scott in the amount of $3,337 charging same to Appropriation No. 3.161.890.000 as an advance on the Police Contingent Fund for the month of July 1974.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 275-74

AUTHORIZING ATTENDANCE OF ASSISTANT INSPECTOR KENNETH R. MOSES, CRIME LABORATORY, AT THE F.B.I. ADVANCED LATENT FINGERPRINT SCHOOL AT QUANTICO, VIRGINIA, FROM 5 AUGUST 1974 TO 23 AUGUST 1974, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Assistant Inspector Kenneth R. Moses, Crime Laboratory, be detailed to

attend the F.B.I. Advanced Latent Fingerprint School at Quantico, Virginia, from 5 August 1974 to 23 August 1974, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Assistant Inspector Kenneth R. Moses, Crime Laboratory, in attending this course are to be paid by the Federal Bureau of Investigation.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 276-74

AUTHORIZING ATTENDANCE OF DR. WASHINGTON E. GARNER, PRESIDENT OF THE POLICE COMMISSION, AT THE UNITED STATES DEPARTMENT OF JUSTICE COMMUNITY RELATIONS SERVICE PROGRAM IN WASHINGTON, D.C., FROM 1 JULY 1974 TO 5 JULY 1974, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Dr. Washington E. Garner, President of the Police Commission, attend the United States Department of Justice Community Relations Service Program in Washington, D.C., from 1 July 1974 to 5 July 1974, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Dr. Washington E. Garner, President of the Police Commission, in a sum not to exceed $726.28 will be defrayed by the Police Department's Travel Fund.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 277-74

AMENDMENT NO. 1 TO DEPARTMENT OF THE ARMY LICENSE NO. DACA05-3-73-515, CITY AND COUNTY OF SAN FRANCISCO HELICOPTER TAKE-OFFS AND LANDINGS, CRISSY ARMY AIRFIELD AT THE PRESIDIO OF SAN FRANCISCO, EFFECTIVE 15 FEBRUARY 1974.

WHEREAS, on Wednesday, 23 August 1972, the Police Commission adopted Resolution No. 347-72, authorizing the Real Estate Department to lease office and tie-down space at Crissy Field in the Presidio for Police Department helicopters: and

WHEREAS, the Department of the Army License No. DACA05-3-73-515, granting the Police Department Helicopters the right to make take-offs and landings and to use "two tie-down" spaces at Crissy Army Airfield is amended to show that the licensee's take-offs and landings shall be limited to the area shown in red on Exhibit "A: and limited to emergency use until such time as a suitable fence is constructed at the location shown in green on said Exhibit "A"; therefore be it

RESOLVED, that the Amendment to the Department of the Army License No. DACA05-3-73-51, granting the Police Department Helicopters the right to make take-offs and landings and to use "two tie-down" spaces with take-offs and landings limited to the areas shown in red and green on Exhibit "A", with the latter limited to emergency use until such time as a suitable fence is constructed, be, and the same is hereby approved.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 278-74

AMENDING PART II, CHAPTER VIII, SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY ADDING ARTICLE 15.5 THERETO TO PROHIBIT NUDE MODELS WITHIN A PUBLIC PHOTOGRAPHY STUDIO; PROVIDING FOR A PERMIT PROCEDURE; PROVIDING EXCEPTIONS THERETO; PROVIDING FOR A DEFINITION THERETO; PROVIDING FOR REGULATION THEREOF; PROVIDING FOR A SEVERABILITY CLAUSE. REPEALING SECTIONS 550 TO AND INCLUDING SECTIONS 556 OF PART III OF THE SAN FRANCISCO MUNICIPAL CODE.

RESOLVED, that the Board of Supervisors be, and they are hereby requested to Amend Part II, Chapter VIII, of the San Francisco Municipal Code (Police Code) as follows:

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter VIII, of the San Francisco Municipal Code (Police Code) is hereby amended by adding Article 15.5 thereto, to read as follows:

ARTICLE 15.5

SEC. 1073.1 Definition. For the purpose of this Article, the following words and phrases shall mean and include:

(a) Theater. A building, playhouse, room, hall or other place having a permanent stage upon which movable scenery is or may be placed and upon which theatrical or vaudeville or similar performances are given, with permanently affixed seats so arranged in proximity to such stage that a body of spectators may have an unobstructed view of said stage, the primary function of which is to serve as the locale of such performances.

(b) Public Photography Studio. An establishment to which patrons or members are invited or allowed to photograph or purportedly photograph or graphically reproduce in any manner persons or models.

(g) Entertainment. Any act, play, review, pantomime, scene, dance

act, song, song and dance act, poetry recitation, reading, style show or modeling for photographing or graphic reproduction by any means whatsoever within a public photography studio as defined herein.

(d) Person. An individual, firm, partnership, joint adventure, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate, or any other group or combination acting as a unit, excepting the United States of America, the State of California, and any political subdivision of either thereof.

(e) Operator. Any person operating a Public Photography Studio, including but not limited to the owner or proprietor of the premises upon which it is located, and the lessee, sublessee, or mortgagee in possession.

(f) Bona Fide Nonprofit Clubs or Organizations. Any fraternal, charitable, religious or benevolent, or any other nonprofit organization having a regular membership association primarily for mutual social, mental, political and civic welfare, to which admission is limited to members and guests and revenue accruing therefrom to be used exclusively for the benevolent purposes of said organization and which organization or agency is exempt from taxation under the Internal Revenue Laws of the United States as a bona fide fraternal, charitable, religious, benevolent or nonprofit organization.

(g) Entertainer. An entertainer is any person who performs any act enumerated in Section 1073.1(c) of this Article for any compensation whatsoever.

(h) Employee. Any and all persons who render any service whatsoever to the patrons or customers of a Public Photography Studio and who receive compensation for such service.

SEC. 1073.2 Permit Required. It shall be unlawful for any person to engage in, conduct or carry on, or permit to be engaged in, conducted or carried on in any premises in the City and County of San Francisco,

the operation of a Public Photography Studio as defined herein, without first obtaining a permit from the Police Department.

SEC. 1073.2.1. Employee Permit Required. It shall be unlawful for any person, as defined in Section 1073.1(h), to perform any service for a customer of a Public Photography Studio without first securing a permit from the Chief of Police.

SEC. 1073.3. Filing and Fee Provision. Every applicant desiring a permit to maintain, operate or conduct a Public Photography Studio shall file an application with the Chief of Police upon a form provided by said Chief of Police and pay a filing fee of Fifty Dollars ($50.00) which shall not be refundable.

SEC. 1073.3.1. Employee Permit--Application to Chief of Police. Every applicant for an Employee Permit for a Public Photography Studio shall file an application with the Chief of Police on a form provided by said Chief of Police and pay a filing fee of Fifteen Dollars ($15.00) which shall not be refundable. Said applicant shall file for a permit within thirty (30) days of the effective date of this Article.

SEC. 1073.4. Application for Public Photography Studio. The application for a permit to operate a Public Photography Studio shall set forth the proposed place of business and facilities therefor and the name and address of each applicant.

In addition to the foregoing, any applicant for a permit shall furnish the following information:

(a) The two (2) previous addresses immediately prior to the present address of the applicant.

(b) Written proof that the applicant is at least eighteen (18) years of age.

(c) Applicant's height, weight, color of eyes and hair.

(d) Two (2) portrait photographs at least 2" by 2".

(e) Business, occupation, or employment of the applicant for the three (3) years immediately preceding the date of application.

(f) All criminal convictions except minor traffic violations.

(g) Such other identification and information necessary to discover the truth and the matters hereinbefore specified as required to be set forth in the application.

(h) Nothing contained herein shall be construed to deny to the Chief of Police the right to take the fingerprints and additional photographs of the applicant, nor shall anything contained herein be construed to deny the right of said Chief of Police to confirm the height and weight of the applicant.

(i) If the applicant is a corporation, the name of the corporation shall be set forth exactly as shown in its articles of incorporation together with the names and residence addresses of each of the officers, directors, and each stockholder holding more than ten percent (10%) of the stock of the corporation. If the applicant is a partnership, the application shall set forth the name and the residence address of each of the partners, including limited partners. If one or more of the partners is a corporation, the provisions of this section pertaining to a corporate applicant apply.

SEC. 1073.4.1. Application for Employee of a Public Photography Studio. The employee of a Public Photography Studio filing for a permit shall furnish the following information:

(a) Name.

(b) Residence address.

(c) Public Photography Studio in which the employee is currently working.

(d) Two previous addresses immediately prior to the present address of the applicant.

(e) Applicant's weight, height, color of eyes and hair.

(f) Written proof that applicant is at least eighteen (18) years of age.

(g) Two portrait photographs at least 2" x 2".

(h) Previous employment of the applicant for three years immediately preceding the date of application.

(i) All criminal convictions except minor traffic violations.

(j) Such other identification and information necessary to discover the truth of the matters hereinbefore specified.

(k) Nothing contained herein shall be construed to deny the Chief of Police the right to take the fingerprints and additional photographs of the applicant, nor shall anything contained herein be construed to deny the right of said Chief of Police to confirm the height and weight of the applicant.

SEC. 1073.5. Corporate Applicants: Exemption. The provisions of Section 1073.4(a), (b), (c), (d), (e) and (f) entitled "Application for Public Photography Studio" relating to requirements for corporate applicants shall not apply to any of the following:

1. A corporation, the stock of which is listed on a stock exchange in the State of California or the City of New York, State of New York.

2. A bank, trust company, financial institution or title company to which application is made or to whom a license is issued in a fiduciary capacity.

3. A corporation which is required by law to file periodic reports with the Security Exchange Commission.

SEC. 1073.6. Corporate Permittee: Maintenance of Stock Register; Report. (A) Any corporation holding a permit under this Article shall maintain a stock register at the principal office of the corporation in San Francisco and the stock register shall be available to the Police Department for inspection. Such corporation shall report to the department in writing any of the following:

1) Issuance or transfer of any shares of stock to any person where the issuance or transfer results in the person owning ten percent (10%) or more of the corporate stock.

2) Change in any of the corporate officers which are required by Section 821 of the Corporations Code.

3) Change of the members of its Board of Directors.

The report shall be filed with the Police Department within thirty (30) days after the issuance or transfer of corporate stock, change in corporate officers, or change in members of the Board of Directors, as the case may be.

(B) The provisions of this section shall not apply to any of the following:

1) A corporation, the stock of which is listed on a stock exchange in this state or in the City of New York, State of New York.

2) A bank, trust company, financial institution or title company to which a permit is issued in a fiduciary capacity.

3) A corporation which is required by law to file periodic reports with the Securities and Exchange Commission.

SEC. 1073.7. Verification of Application. Every application for a permit under this Article shall be verified as provided in the California Code of Civil Procedure for the verification of pleadings.

SEC. 1073.8. Notice of Hearing. When an application is filed for a permit under this Article, the Chief of Police shall fix a time and place for a public hearing thereon. Not less than ten (10) days before the date of such hearing, the Chief of Police shall cause to be posted a notice of such hearing in a conspicuous place on the property in which or on which the proposed Public Photography Studio is to be operated. Such posting of notice shall be carried out by the Chief of Police, and the applicant shall maintain said notice as posted for the required number of days.

SEC. 1073.9. Referral of Application to Other Departments. The Chief of Police, upon receiving an application for a Public Photograph Studio permit, shall refer the application to the Bureau of Building Inspection, the Fire Department, and the City Planning Department, which departments shall inspect the premises proposed to be operated as a Public Photography Studio and shall make written recommendations to the Chief of Police concerning compliance with the codes that they administer.

SEC. 1073.10. Issuance of Permit for a Public Photography Studio. The Chief of Police may issue a permit within fourteen (14) days following a hearing if all requirements for a Public Photography Studio described in this Article are met and may issue a permit to all persons who apply to perform Public Photography Studio services unless he finds:

1. That the operation as proposed by the applicant if permitted would not have complied with all applicable laws, including but not limited to the Building, City Planning, Housing and Fire Codes of the City and County of San Francisco or regulations adopted by the Chief of Police.

2. That the applicant and any other person who will be directly engaged in the management and operation of a Public Photography Studio has been convicted of any of the following offenses or convicted of an offense without the State of California that would have constituted any of the following offenses if committed within the State of California:

(a) An offense involving conduct which requires registration pursuant to Section 290 of the Penal Code;

(b) An offense involving the use of force and violence upon the person of another that amounts to a felony;

(c) An offense involving sexual misconduct with children;

(d) An offense as defined in Sections 311, 647(a), 647a, 647b, 315, 316 or 318 of the Penal Code of the State of California.

The Chief of Police may refuse to issue any permit if it shall appear that the character of the business is not a proper or suitable place in which to conduct or maintain such business or calling or the applicant requesting such permit does not warrant the issuance thereof.

The Chief of Police may issue a permit to any person convicted of any of the crimes described in Sub-sections (a), (b), (c) or (d) of this section if he finds that such conviction occurred at least five (5) years prior to the date of the application and the applicant has had no subsequent felony convictions of any nature and no subsequent misdemeanor convictions for crimes mentioned in this section.

SEC. 1073.10. Issuance of Employee Permit. The Chief of Police may issue a permit within fourteen (14) days following a hearing unless he finds that the applicant has been convicted of any of the following offenses or if convicted of an offense without the State of California that would have constituted any of the following offenses if committed within the State of California:

(a) An offense involving conduct which requires registration pursuant to Section 290 of the Penal Code.

(b) An offense involving the use of force or violence on the person of another that amounts to a felony.

(c) An offense involving sexual misconduct with children.

(d) An offense as defined in Sections 311, 647(a), 647a, 647b, 315, 316 or 318 of the Penal Code of the State of California.

The Chief of Police May refuse to issue any permit if it shall appear that the character of the applicant does not warrant the issuance thereof.

The Chief of Police may issue a permit to any person convicted of any of the crimes enumerated in Sub-sections (a), (b), (c), or (d) of this Section if he finds that such conviction occurred at least five (5) years prior to the date of the application and the applicant has had no subsequent felony convictions of any nature and no subsequent misdemeanor convictions for crimes mentioned in this Section.

SEC. 1073.11. Revocation or Suspension of Permit. Any permit issued for a Public Photography Studio or employee may be revoked or suspended by the Chief of Police, after a hearing, for good cause, or in any case where any of the provisions of this Article are violated or where any employee of the permittee is engaged in any conduct which violates any of the state or local laws or ordinances at permittee's place of business and the permittee has actual or constructive knowledge of such violations, or in any case where the permittee or licensee refuses to permit any duly authorized Police Officer of the City and County of San Francisco to inspect the premises or the operations therein.

SEC. 1073.12. Employment of Persons under the Age of Eighteen (18) Prohibited. It shall be unlawful for any owner, proprietor, manager or other person in charge of any Public Photography Studio to employ any person who is not at least eighteen (18) years of age.

SEC. 1073.13. Sale or Transfer. Upon sale, transfer or relocation of a Public Photography Studio, the permit and license therefor shall be null and void unless approved as provided in Section 1073.18 herein; provided, however, that upon the death or incapacity of the permittee the Public Photography Studio may continue in business for a reasonable period of time to allow for an orderly transfer of the permit.

If the permittee is a corporation, a transfer of twenty-five percent (25%) of the stock ownership of the permittee will be deemed to be a sale or transfer and the permit and license therefor shall be null and void unless approved as provided in Section 1073.18 herein; provided, however, that the provision shall not apply to a permittee corporation, the stock of which is listed on a stock exchange in this state or in the City of New York, State of New York, or which is required by law to file periodic reports with the Security Exchange Commission unless approved as provided in Section 1073.18 herein.

SEC. 1073.14. Name and Place of Business-- Change of Location. No person granted a permit pursuant to this Article shall operate under any name or conduct his business under any designation for any location not specified in his permit.

SEC. 1073.15. Display of Permit. Every person to whom or for whom a permit shall have been granted pursuant to the provisions of this Article shall display said permit in a conspicuous place within the Public Photography Studio so that the same may be readily seen by persons entering the premises.

SEC. 1073.16. Inspection. The Police Department shall from time to time and at least twice a year, make an inspection of each Public Photography Studio in the City and County of San Francisco for the purposes of determining that the provisions of this Article are complied with.

SEC. 1073.17. License Fees. Every permittee who conducts or assists in conducting or permitting any Public Photography Studio as defined herein shall pay to the Tax Collector a license fee of One Hundred Forty-Four and No/100 Dollars ($144.00) annually payable in advance. The license fee prescribed in this section is due and payable on a calendar year basis starting forty-five (45) days after the effective date of this Article prorated with regard to the calendar year on a monthly basis. Fees for new licenses issued after the first day of January 1975 or in any subsequent calendar year shall be prorated with regard to the calendar year on a monthly basis.

SEC. 1073.18. Transfer of Permit. No permit shall be transferable except with the written consent of the Chief of Police. An application for such a transfer shall be in writing and shall be accompanied by a filing fee of Fifty Dollars ($50.00). The written application for such transfer shall contain the same information as requested herein for initial application for such a permit.

SEC. 1073.19. Prohibition. Every person is guilty of a misdemeanor who, while acting as an entertainer in a Public Photography Studio as defined herein:

(a) Exposes his or her genitals, pubic hair, buttocks, natal cleft, perineum, anal region or pubic hair region; or

(b) Exposes or employs any device, costume or cover which gives the appearance of or simulates the genitals, pubic hair, buttocks, natal cleft, perineum, anal region or pubic hair region; or

(c) Exposes any portion of the female breast at or below the areola thereof; or

(d) Employs any device or covering which is intended to simulate such portion of the breast.

SEC. 1073.20. Soliciation of Trade. No operator or employee of a Public Photography Studio shall permit or allow or cause any person or employee to solicit trade on the public sidewalk at or near the entrance to the Public Photography Studio or shall engage in such activity.

SEC. 1073.21. Lighting. Every Public Photography Studio shall be lighted throughout to an intensity of at least twelve (12) foot candles during all hours of operation.

SEC. 1073.22. Booths and Cubicles. It shall be unlawful for any operator of a Public Photography Studio to maintain or construct any booth, cubicle, room or rooms, compartment or stall that is so arranged that the entire interior portion of same is not visible from the exterior of the booth, cubicle, room or rooms, compartment or stall. No booth, cubicle, room, compartment or stall shall be so maintained or constructed so that the entrance to same may be blocked by a door or curtin or similar device.

SEC. 1073.23. Employment or Payment not Necessary for Offense. A person shall be deemed to be an entertainer if such person acts in that capacity without regard to whether or not such person is paid any compensation by the management of the establishment on which the activity is performed.

SEC. 1073.24. Signs Regulated. No sign or signs which, in whole or in part, advertise any Public Photography Studio and which sign or signs use the words "nude", "topless", "bottomless", "naked", or words of like import, shall be maintained, erected, used or placed upon or adjacent to the outside of any building where it is visible from public streets or from adjacent buildings and premises, the purpose of which sign is intended to attract, lure or entice customers.

SEC. 1073.25. Signs Continued. No sign or signs, paintings, photographs, pictorial representations, or any other visual means shall be maintained, erected, used or placed upon or adjacent to the outside of any building, or in connection with any premises therein, if it shows, reveals or depicts, in whole or in part, the following:

(1) The actual or simulated displaying of the pubic hair, anus, vagina, penis, vulva, buttocks, or any other genitalia of the human body;

(2) Any portion of the nude female breast below the top of the areola.

SEC. 1073.26. Visibility from the Street. No operator of a Public Photography Studio shall permit or cause to be permitted or allow any entertainment as defined in this Article in such a manner that said entertainment would be visible at any time from the street, sidewalk or highway.

SEC. 1073.27. Advertising. No operator of a Public Photography Studio shall place or cause to be placed or distribute or cause to be distributed any advertising brochures, pamphlets, handbills, posters, announcements, or the like, that depict the human form or portions thereof, or contain such wording in such a manner that such depictions of the human form or portions thereof or words would violate Section 1073.19 of this Article if such pictorial representation were on a sign upon or adjacent to a Public Photography Studio.

SEC. 1073.28. Counseling or Assisting. Every person is guilty of a misdemeanor who permits, counsels or assists any person to violate any provision of this Article.

SEC. 1073.29. Exemptions. The provisions of Section 1073.2 relating to requirement for a permit shall not apply to a Public Photography Studio operated by any public agency or by any educational or social agency, or any bona fide charitable organization as defined in Section 1073.1(f) herein.

SEC. 1073.30. Exemptions Continued. The Article shall not apply to any of the following:

(a) A school or institute approved by the Superintendent of Public Instruction pursuant to the provisions of Section 29007.5 of the Education Code of the State of California.

(b) A Theater, concert hall or similar establishment which is primarily devoted to theatrical performances.

(c) Any act authorized or prohibited by State Statute.

(d) Entertainment as defined in Section 1060(e) of Article 15.1

of this code and as regulated by Section 1073.1 of said code.

SEC. 1073.31. Penalty. A violation of this Article is punishable by a fine not exceeding Five Hundred Dollars ($500.00) or by imprisonment in the County Jail for not exceeding six months, or by both such fine and imprisonment.

SEC. 1073.32. Time Limit for Obtaining Permit. All premises required to obtain a permit and license pursuant to this Article must obtain a permit within forty-five (45) days of the effective date of this Article; failure so to do shall make continued operation of said Public Photography Studio a violation of Section 1073.31 hereof. Permits must be obtained from the Police Department as Sections 1073.2, 1073.3 and 1073.4 hereof provide.

SEC. 1073.33. Limited Suspension. Any permit issued under the terms of this Article may be suspended for a period of thirty (30) days by the Chief of Police if the Chief of Police deems after the noticed hearing that violation of the regulations or any provision of the Municipal Code has occurred.

SEC. 1073.34. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Article, or application thereof to any person or circumstances, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Article or any part thereof. The Board of Supervisors hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitional or invalid or ineffective.

Section 2. Sections 550, 551, 552, 553, 554, 555 and 556 of Part III of the San Francisco Municpal Code are hereby repealed.

APPROVED:

APPROVED AS TO FORM:

THE POLICE COMMISSION

THOMAS M. O'CONNOR, CITY ATTORNEY

Secretary

AYES: Commissioners Cardoza, Garner

AMENDING PART II, CHAPTER VIII, SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY ADDING ARTICLE 15.6 THERETO TO REGULATE CERTAIN DANCE STUDIOS; PROVIDING FOR A PERMIT PROCEDURE; PROVIDING EXCEPTIONS THERETO; PROVIDING FOR A DEFINITION THEREOF; PROVIDING FOR REGULATION THEREOF; PROVIDING FOR SEVERABILITY CLAUSE - CONTINUED OFF CALENDAR

AYES; Commissioners Cardoza, Garner

RESOLUTION NO. 279-74

REQUEST TO TRANSFER ALLOTTED FUNDS

RESOLVED, that the Controller be, and he is hereby requested to transfer allotted funds in the sum of $3,000 from Appropriation No. 3.161.120.002.000 (School Crossing Guards) in the following amounts:

Appropriation No. 3.161.112.001.000 Holiday Pay-Civilians $2,000

Appropriation No. 3.161.111.001.000 Overtime - Civilians $1,000

for payrolls pending at the Controller's Office.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 280-74

REQUEST FOR A LEAVE OF ABSENCE WITHOUT PAY - APPROVED

RESOLVED, that the request of Building and Grounds Patrolman Harold Amador, Ingleside Police Station, for a leave of absence without pay, for a period of two months starting 1 July 1974, for the purpose of caring for his mother who is ill, be, and the same is hereby approved.

AYES: Commissioners Cardoza, Garner

WEEKLY SICK REPORT

Chief of Police, Donald M. Scott, submitted a report of members of the Department off duty due to sickness and disability for the week ending, Saturday, 22 June 1974, at 2400 hours, as follows:

Daily average for the week, sick 40

Daily average for the week, disabled 67

TOTAL 107

Daily percentage for the week, sick 2.03

Daily percentage for the week, disabled 3.52

TOTAL 5.55

The report was ordered filed.

AYES: Commissioners Cardoza, Garner

RESOLUTION NO. 281-74

DECISION - HEARING OF POLICE OFFICER JOHNNY J. BOSTIC, JUVENILE BUREAU

WHEREAS, on 23 April 1974, Captain Agustius B. Brunoman, Commanding Officer of the Juvenile Bureau, made and served charges against Police Officer Johnny J. Bostic, Juvenile Bureau, as follows:

SPECIFICATION NO. 1

a) That at or about 0300 hours, Wednesday, 23 January 1974, the accused was present at a parking lot at or near a bar known as "Whiskey Hill";

b) That at or about 0300 hours, a female known to the accused and her male companion entered said parking lot;

c) That the accused, by force and violence, removed the female known to the accused from a vehicle and struck said female causing her to fall to the ground;

d) That the accused then did strike, without any legal cause, the male companion of the female;

e) That subsequently the male companion responded to the Burlingame Police Department and made a formal police report charging the accused with battery;

f) That the Burlingame Police Department pursuant to their duties, made an investigation relative to these charges;

g) That officers superior to the accused were also assigned to investigate these charges;

h) Because of the above-stated conduct, the accused did violate Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

> "Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board".

SPECIFICATION NO. 2

i) Paragraphs (a) through (h) are hereby incorporated as though fully set forth herein;

j) That on Wednesday, January 23, 1974, the accused was assigned to show a motion picture on Potrero Hill;

k) That the accused did make arrangements to have the motion picture shown, however, the accused by his own statements left the City and County of San Francisco and went to San Mateo County;

l) That the accused did not request extra duty nor did he notify his superior officer that he was neglecting his duty as a San Francisco Police Officer;

m) Because of the above-stated conduct, the accused did violate Section 2.29 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

> "Shall, during his watch or tour of duty, devote his entire time and attention to the efficient performance of police business and shall not engage in any other business or calling".

SPECIFICATION NO. 3

n) Paragraphs (a) through (m) are hereby incorporated

as though fully set forth herein;

o) That the accused was required as part of his duties to submit an activity sheet each week to his superior specifically stating his whereabouts and the times of his activities;

p) That the accused did submit such an activity report on January 29, 1974, subscribed by the accused, which activity report listing the accused was at the Potrero Hill Recreation Center at Arkansas and Mariposa Streets, from 1700 hours to 2200 hours,

q) That this entry on the activity report of the accused is false;

r) That the activity reports are required by the San Francisco Police Department and upon these reports the Administration of the Police Department is entitled to rely as to their accuracy;

s) Because of the above-stated conduct, the accused did violate Section 2.45 of the Rules and Procedures of the San Francisco Police Department, which reads as follows:

> "Shall strictly obey and promptly execute the lawful orders of his superior officers. In case of conflict of orders from superior officers, he shall respectfully call the attention of the superior officer giving the last order to such conflict, should the latter not change his order it shall be obeyed and the member shall not be held responsible for disobedience of any former order in obeying said last order".

and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco, on Wednesday, 22 May 1974, and that on Wednesday, 26 June 1974, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that said charge made and filed against Police Officer Johnny J. Bostic, Juvenile Bureau, as contained in Specification No. 1 is sustained by the evidence presented at the hearing and that Police Officer Johnny J. Bostic did violate Section 2.29 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, the Police Commission finds that said charge made and filed against Police Officer Johnny J. Bostic, Juvenile Bureau, as contained in Specification No. 2 is sustained by the evidence presented at the hearing and that Police Officer Johnny J. Bostic did violate Section 2.29 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, the Police Commission finds that said charge made and filed against Police Officer Johnny J. Bostic, Juvenile Bureau, as contained in Specification No. 3, is sustained by the evidence presented at the hearing and that Police Officer Johnny J. Bostic, Juvenile Bureau, did violate Section 2.45 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Johnny J. Bostic, Juvenile Bureau, has violated Specification No. 1, Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer Johnny J. Bostic, has violated Specification No. 2, Section 2.29 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer Johnny J. Bostic, has violated Specification No. 3, Section 2.45 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that for said violations Police Officer Johnny J. Bostic, be suspended for fifteen (15) days without pay, commencing Thursday, 27 June 1974, at 0000 hours, and terminating on Thursday, 11 July , at 2400 hours; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer Johnny J. Bostic, be sent back to the Police Academy for re-training for a period of nine (9) weeks, said period of training shall commence at an applicable time so designated by the Chief of Police.

AYES: Commissioners Cardoza, Garner

The Commission then adjourned its meeting.

SECRETARY